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(19 DECEMBER 2006)**

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 19 December 2006, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, JP, declared the meeting open at 6.07pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Rob Boardman	Executive Manager, Environmental and Development Services
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(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (<i>Deputy Mayor</i>)	North Ward
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Mike Rootsey	Executive Manager, Corporate Services
Rick Lotznicker	Executive Manager, Technical Services
Des Abel	Manager Planning, Building and Heritage Services
Annie Smith	Minutes Secretary
Lindsay McPhee	Journalist - Guardian Express (until 8.35pm)

Approximately 32 Members of the Public

(c) Members on Leave of Absence:

Nil.

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

1. Mr Bill Evangel of 191A Loftus Street, Leederville - Item 10.1.3 - Advised that the current plans have a crossover down the middle of the development and the two front properties have a crossover also. Believes that it would be safer to have the vehicles entering and exiting from the front of the property rather than increase the traffic in the laneway. Further believes that the development would enhance and benefit the area.
2. Mrs Evangel of 191A Loftus Street, Leederville - Item 10.1.3 - Advised the proposed crossovers remain under 40%. Stated that there are many other developments in the vicinity where extra crossovers have been approved. Believes that it is totally impractical to request one single accessway crossover to service at least eight vehicles. Advised that if they to have the garages at the rear of the property they will have to forego having an alfresco dining area.

3. Mr Kim Doepel of 61 Forrest Street, Subiaco - Item 14.5 - Advised that they have provided documentary evidence that office use commenced in April 1998. Further advised that the due process regarding advertising was undertaken and that no objections were received for the relocation of the swimming pool. Stated that the use has already been approved by Council and is a valid use. Requested that Council approve the relocation of the swimming pool.

Cr Messina departed the Chamber at 6.18pm.

4. Ms Antonietta Torre of 27 Camelia Street, North Perth - Item 10.2.1 - Believes this is an opportunity for the Town to show leadership and innovation in water sensitive urban design. Suggested that landscape bio retention systems could be used. Believes there are problems with the gross pollutant traps as they can become a source of toxic contaminants, odours and mosquito breeding if they are not designed and maintained correctly. Stated that Plane trees are one of the worst for allergy sufferers, dump a large load of leaf litter that degrade quickly, create maintenance burdens and do not provide any sense of place for Western Australia. Asked why a marked cycle lane cannot be incorporated in the upgrade.

Cr Messina returned to the Chamber at 6.21pm.

5. Mr Bruce Arnold of 3A Coogee Street, Mt Hawthorn - Item 10.1.2 - Advised that if an element is on the roof of a building that is setback beyond the face of the elevation, this element is often not shown for clarity as well as minimising confusion, this is particularly so if the element is not visible from the ground level when viewed from the face of the elevation and this was the approach which was developed and discussed with the Town's officers. Stated that they have worked closely with the Town's officers and have followed all the procedures and the requirements. Requested that Council approve the proposal.
6. Mr Andrea Bassini of Labirynth Design & Development - Item 10.1.5 - Believes their proposal is the first step of the inevitable upgrade and redevelopment of this entire area. Stated that the development will create a central hub with café and alfresco dining and will incorporate the use of various WA materials to accentuate its articulated modern façade, will be pedestrian and bike friendly and augment the investment the Town has already made in the streetscape. Believes the building is in keeping with the Town's vision of quality contemporary commercial design and will set the benchmark for future developments.
7. Mr David Mitchell of 50 Salisbury Street, Leederville - Item 10.1.6 - Concerned that the development will result in a three storey building on Salisbury Street which is a residential street with single storey houses which are setback the appropriate distance from the road. Also concerned with the level of parking allowed for the development, believes it will compound already existing parking problems in the street.
8. Mr David Black of 49 Salisbury Street, Leederville - Item 10.1.6 - Stated that his prime concern is that the three storey development is out of character with the entire area. Concerned that the development will add to an already existing parking problem.

9. Ms Jean Khuu of 352 Oxford Street, Leederville - Item 10.1.6 - Concerned with overlooking from the balconies and believes that the development will add to the existing parking problems.
10. Ms Sarah Taylor of 8/83 Federal Street, Tuart Hill - 10.2.4 - Advised she is a teacher at Mt Hawthorn Junior Primary School. Stated that there is inadequate space for the number of children that will be using the playground and there are many areas that are unusable. Advised that the bitumen is uneven and full of holes and the grass areas are also uneven and in need of repair. Requested that the bitumen be replaced with a level grass area and the other areas repaired - the children would then be able to use these areas for play and class activities. Advised that there are many minor accidents occurring on a daily basis with children falling on the uneven ground. Further advised that the school's P & C have provided the Pre-primary with \$12,000 and the parents have fundraised \$2,000 towards the upgrade of the playground. Requested the Town to assist financially with the upgrade the playground.
11. Mr Ken Johnson, representing Mr Roworth, regarding Item 14.3 - Stated that there has been some real progress and they have now arrived at a decision where they can accept the heritage listing of the places at 28-30 and 68-70 Cowle Street on the basis that design guidelines are developed for the site to quantify the development incentives to compensate for the loss of access to the property. Requested Council's support in not listing No 54.
12. Mr Warren McGrath of 32 Randell Street, Perth - Item 10.2.1 - Requested that Council reconsider the use of London Plane trees in the William Street upgrade. Stated that these trees impact on human health and river water quality and advised the various symptoms people can suffer from. Advised that the leaves breakdown quickly releasing nutrients into the river contributing to the water quality problems of the Swan River. Stated that the Swan River Trust and the Department of Water have requested that the Town reconsider the proposal to plant these trees because of their known problems. Believes that gross pollutant traps are not adequate management measures to prevent water quality problems as they quickly clog up the decaying material which may result in the release of nutrients into the stormwater. Requested Council to consider using Western Australian flowering native trees such as Gums and Banksia which will increase the tourism and improve the entrance statement to the City.
13. Ms Audrey Hayes of 2 Pansy Street, - Item 5.1 - Advised that she is a regular user of the reserve which is designated as an "*off leash*" exercise area for dogs. Stated that the footballers have taken over the use of the reserve each Tuesday and Thursday evening. Believes that the reserve is totally unsuitable for sharing with football training sessions as it is used by mothers' groups, children and dog owners. Stated that they are concerned about the possibility of accidents and requested that the arrangement with Subiaco Football Club be terminated as soon as possible and not give permission for this type of activity to take place in this reserve in the future.

14. Mr Gordon Jenkins of 39 Monger Street, Perth - Item 10.2.1 - Stated that they do like the London Plane trees in their street but the health problems that have been eluded to are definitely true. Advised that they have to clean their gutters four times a year and during the leaf drop have to sweep the path at least four times a week. Requested that natives that flower in different colours be planted in William Street.
15. Mr Jake Schapper of 65 Harold Street, Highgate - Item 10.2.1 - Stated that while he likes Plane trees he is opposed to any more being planted in the Town because of the health risks and the impact it will have on the Swan River. Believes that vegetation branding would be an important part of this project and we can set ourselves aside from places like Claremont, Subiaco by the trees and the vegetation that we do plant.
16. Mr Payam Golestani of 567 Beaufort Street, Mt Lawley - Item 5.2 1 - Presented a petition with 80 signatures (which supersedes the one presented with 60 signatures) requesting Council not to plant Gum trees in Beaufort Street in favour of Plane trees. Believes that if planting trees is not to beautify the area and enhance the streetscape and lift the status, then why bother planting them in our roads, parks and café strips at all. Does not believe that these trees pose any more risk to our environment than domestic cleaning agents that are used in households on a daily basis.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.50pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

- 5.1 The Chief Executive Officer advised that a petition had been received via E-mail with 31 signatures relating to Woodville Reserve requesting the Council find a more appropriate area for the Subiaco Football Club team to train and for Council to carefully consider future requests for use of this Reserve for training purposes.

The Chief Executive Officer advised that the petition would be forwarded to the Executive Manager Corporate Services for investigation and report.

- 5.2 The Chief Executive Officer advised that a petition had been received Mr Payam Golestani with 60 signatures objecting to the Town's proposed plans to plant Gum trees on Beaufort Street, Mt Lawley and requesting Council to plant mature London Plane trees in preference to any other trees as planted in all successful retail precincts.

The Chief Executive Officer further advised that the petition that Mr Golestani submitted during public question time with 80 Signatures supersedes the above petition.

The Chief Executive Officer advised that the petition would be forwarded to the Executive Manager Technical Services for investigation and report.

Moved Cr Farrell, Seconded Cr Ker

That the petitions be received.

CARRIED (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Cr Farrell, Seconded Cr Messina

That the Minutes of the Ordinary Meeting of Council held on 5 December 2006 be confirmed as a true and correct record.

CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Spirit of Christmas Competition

The Mayor advised that the final of the Spirit of Christmas Competition was held on Friday 1 December 2006 in the Town's Function Room. All local primary schools are encouraged to enter the competition which is about what Christmas represents to them. The event is sponsored by the Town and the North Perth Community Bank. There were some fantastic entries received from Grades 1 to 7 which made the judging difficult and we look forward to hosting the competition in the years to come.

7.2 Mayor's Community Barbecue

The Mayor's Community Barbecue was held in Hyde Park on Sunday 10 December and was well attended by approximately 600 people. Father Christmas arrived on a fire engine, there was face painting, kite making and a cheeky elf to entertain the children, two bands entertained the crowd and there was a free sausage sizzle and refreshments for all.

This is the second year of the Mayor's Community Barbecue and replaces the formal dinner that used to be held and will be continue to be held so that the families in the Town of Vincent can continue enjoy the celebrations of Christmas.

Cr Chester departed the Chamber at 6.55pm.

7.3 Carols by Candlelight

The Mayor advised that there had been a number of Carols by Candlelight held in the Town this year, the most he has ever seen. Some of these were held at Braithwaite Park, Hyde Park and Banks Reserve.

Cr Chester returned to the Chamber at 6.56pm.

8. DECLARATION OF INTERESTS

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

- 10.1.13 - Municipal Heritage Inventory Review - Outstanding Places Requiring Action - Progress Report - December 2006
- 14.1 - Municipal Heritage Inventory Review - Consideration of No. 98 (Lot 6) Angove Street, North Perth
- 14.2 - Municipal Heritage Inventory Review - Consideration of No. 106 (Lot Y54) Palmerston Street, Perth
- 14.3 - Municipal Heritage Inventory Review - Consideration of Nos. 28-30 (Lot 13), No 32 (Lot 13), No. 40 (Lot 12) No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth

The nature of his interest being that he is an owner of a property that may be listed on the Town's Municipal Heritage Inventory. Mayor Catania advised that he has approval from the Minister for Local Government to fully participate in discussion and vote on the matter, and also preside at meetings where these matters are discussed.

8.2 Mayor Catania declared a financial interest in Item 10.3.3 - Investment Report as at 30 November 2006. The nature of his interest being that he is the Chairperson of the North Perth Community Bank.

8.3 Cr Messina declared a financial interest in Item 10.3.3 - Investment Report as at 30 November 2006. The nature of his interest being that he is a Director and Shareholder of the North Perth Community Bank.

8.4 Cr Torre declared an interest affecting impartiality in Item 10.2.1 - Proposed William Street Streetscape Upgrade, Brisbane to Newcastle Streets, Perth. The nature of her interest being that a family member spoke during public question time as well as having been vocal in print media on the issue.

8.5 Cr Maier declared an interest affecting impartiality in Item 10.2.1 - Proposed William Street Streetscape Upgrade, Brisbane to Newcastle Streets, Perth. The nature of his interest being that he is a member of a community group which made a submission on this Item.

8.6 Cr Maier declared an interest affecting impartiality in the following Items:

- 10.1.13 - Municipal Heritage Inventory Review - Outstanding Places Requiring Action - Progress Report - December 2006
- 14.1 - Municipal Heritage Inventory Review - Consideration of No. 98 (Lot 6) Angove Street, North Perth
- 14.2 - Municipal Heritage Inventory Review - Consideration of No. 106 (Lot Y54) Palmerston Street, Perth

- 14.3 - Municipal Heritage Inventory Review - Consideration of Nos. 28-30 (Lot 13), No 32 (Lot 13), No. 40 (Lot 12) No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth

The nature of his interest being that he is an owner of a property that is included on the Town's Municipal Heritage Inventory.

8.7 Cr Ker declared an interest affecting impartiality the following Items:

- 10.1.13 - Municipal Heritage Inventory Review - Outstanding Places Requiring Action - Progress Report - December 2006
- 14.1 - Municipal Heritage Inventory Review - Consideration of No. 98 (Lot 6) Angove Street, North Perth
- 14.2 - Municipal Heritage Inventory Review - Consideration of No. 106 (Lot Y54) Palmerston Street, Perth
- 14.3 - Municipal Heritage Inventory Review - Consideration of Nos. 28-30 (Lot 13), No 32 (Lot 13), No. 40 (Lot 12) No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth

The nature of his interest being that he is an owner of a property already listed as on the Town's Municipal Heritage Inventory. Cr Ker advised that he has Ministerial permission to participate and vote on the matter.

8.8 Cr Chester declared a proximity interest in Item 10.3.6 - Beatty Park Leisure Centre Redevelopment Objectives. The nature of his interest being that he is a co-owner of property adjacent to Beatty Park. Cr Chester requested approval to remain in the Chamber during debate on the Item but not to vote.

8.9 Cr Chester declared a financial interest the following Items:

- 10.1.13 - Municipal Heritage Inventory Review - Outstanding Places Requiring Action - Progress Report - December 2006
- 14.1 - Municipal Heritage Inventory Review - Consideration of No. 98 (Lot 6) Angove Street, North Perth
- 14.2 - Municipal Heritage Inventory Review - Consideration of No. 106 (Lot Y54) Palmerston Street, Perth
- 14.3 - Municipal Heritage Inventory Review - Consideration of Nos. 28-30 (Lot 13), No 32 (Lot 13), No. 40 (Lot 12) No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth

The nature of his interest being that he is a co-owner of a property that may be considered for listing on the Town's Municipal Heritage Inventory. Cr Chester advised that he has Ministerial permission to participate and vote on the matter.

8.10 Cr Lake declared an interest affecting impartiality in Item 10.2.1 - Item 10.2.1 - Proposed William Street Streetscape Upgrade, Brisbane to Newcastle Streets, Perth. The nature of her interest being that the Group she works for made a submission on this Item.

8.11 Cr Lake declared an interest affecting impartiality in the following Items:

- 10.1.13 - Municipal Heritage Inventory Review - Outstanding Places Requiring Action - Progress Report - December 2006
- 14.1 - Municipal Heritage Inventory Review - Consideration of No. 98 (Lot 6) Angove Street, North Perth
- 14.2 - Municipal Heritage Inventory Review - Consideration of No. 106 (Lot Y54) Palmerston Street, Perth
- 14.3 - Municipal Heritage Inventory Review - Consideration of Nos. 28-30 (Lot 13), No 32 (Lot 13), No. 40 (Lot 12) No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth

The nature of her interest being that she is an owner of a property that is included on the Town's Municipal Heritage Inventory.

The Presiding Member advised that Cr Chester's request to remain in the Chamber during debate but not vote on Item 10.3.6 relating to Beatty Park Leisure Centre would be considered.

Cr Chester departed the Chamber at 7.00pm.

Moved Cr Torre, Seconded Cr Messina

That Cr Chester be permitted to remain in the Chamber during debate on Item 10.3.6 but not to vote.

CARRIED (8-0)

(Cr Chester was absent from the Chamber and did not vote.)

Cr Chester returned to the Chamber at 7.01pm. The Presiding Member advised Cr Chester that his request had been approved.

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

Nil.

10. REPORTS

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

The Agenda Items were categorised as follows:

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

Items 10.1.3, 14.5, 10.2.1, 10.1.2, 10.1.5, 10.1.6 and 10.2.4

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

Items 10.1.1, 10.2.4, 10.4.2, 10.4.3, 10.4.4, 10.4.8 and 10.4.9

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

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

Cr Farrell	Nil
Cr Chester	Items 10.1.10 and 10.2.3
Cr Ker	Nil
Cr Doran-Wu	Nil
Cr Torre	Nil
Cr Lake	Nil
Cr Messina	Nil
Cr Maier	Item 10.3.1
Mayor Catania	Nil

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

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

Items 10.1.13, 10.3.3, 10.3.6, 14.1, 14.2 and 14.3

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

Items 10.1.4, 10.1.7, 10.1.8, 10.1.9, 10.1.11, 10.1.12, 10.1.13, 10.2.2, 10.2.5, 10.3.2, 10.3.4, 10.3.5, 10.4.1, 10.4.5, 10.4.6, 10.4.7 and 10.4.10

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

Items 14.1, 14.2, 14.3, 14.4 and 14.5

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

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

Items 10.1.4, 10.1.7, 10.1.8, 10.1.9, 10.1.11, 10.1.12, 10.1.13, 10.2.2, 10.2.5, 10.3.2, 10.3.4, 10.3.5, 10.4.1, 10.4.5, 10.4.6, 10.4.7 and 10.4.10

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

Items 10.1.3, 14.5, 10.2.1, 10.1.2, 10.1.5, 10.1.6 and 10.2.4

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

Moved Cr Torre, Seconded Cr Ker

That the following unopposed items be moved en bloc;

Items 10.1.4, 10.1.7, 10.1.8, 10.1.9, 10.1.11, 10.1.12, 10.1.13, 10.2.2, 10.2.5, 10.3.2, 10.3.4, 10.3.5, 10.4.1, 10.4.5, 10.4.6, 10.4.7 and 10.4.10

CARRIED (9-0)

10.1.4 No. 194 (Lot 6 D/P: 1561) Carr Place, Leederville - Proposed Demolition of Existing Single House and Construction of Two (2) Three-Storey Multiple Dwellings and Two (2) Two-Storey Multiple Dwellings with Basement Car Parking

Ward:	South	Date:	12 December 2006
Precinct:	Oxford Centre; P04	File Ref:	PRO3659; 5.2006.333.1
Attachments:	001		
Reporting Officer(s):	B McKean		
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 Peter Robinson Design on behalf of the owner P Lazidis for proposed Demolition of Existing Single House and Construction of Two (2) Three-Storey Multiple Dwellings and Two (2) Two-Storey Multiple Dwellings with Basement Car Parking, at No. 194 (Lot 6 D/P: 1561) Carr Place, Leederville, and as shown on plans stamp-dated 12 July 2006, subject to the following conditions:

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

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

- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *first obtaining the consent of the owners of No. 190 and 196 Carr Place for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 190 and 196 Carr Place in a good and clean condition;*
- (iv) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Carr Place 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);*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (vi) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the setback to the balcony and main dwelling on the upper floor (second storey) being setback a minimum of 5 metres and 6 metres respectively from the southern (Carr Place) property boundary;*
 - (b) *the driveway occupying a maximum of 40 per cent of the frontage of the property;*
 - (c) *a minimum of eight on-site car bays which comply with the Town's Policy Relating to Parking and Access and Australian Standards AS2890.1 - "Off Street Parking" being provided to the satisfaction of the Town's Technical Services;*
 - (d) *the balcony on the western elevation of Unit 1 and the windows to bedroom 2 of Unit 2 on the southern elevation, bedroom 1 of Unit 4 and the balcony of Unit 1 on the western elevation, on the upper floor, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 190 and 196 Carr Place and No. 269 Vincent Street stating no objection to the respective proposed privacy encroachment; and*

- (e) *the maximum external wall height for the upper floor, including the decorative towers, being 6 metres above the natural ground level.*

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

COUNCIL DECISION ITEM 10.1.4

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	P Lazidis
Applicant:	Peter Robinson Design
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Multiple Dwelling
Use Classification:	"P"
Lot Area:	521 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves demolition of existing single house and construction of two (2) three-storey multiple dwellings and two (2) two-storey multiple dwellings with basement car parking.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	4 dwellings R80	4 dwellings R80	Noted - no variation.
Plot Ratio			
Unit 1	1.0	0.97	Noted - no variation.
Unit 2	1.0	0.88	Noted - no variation.
Unit 3	1.0	0.78	Noted - no variation.
Unit 4	1.0	0.91	Noted - no variation.

Setbacks: Ground Floor- West -Units 1 and 2	1.6 metres	Nil - 1.8 metres - 5 metres.	Supported - not considered to have an undue impact on affected neighbouring property.
-Units 3 and 4	1.5 metres	Nil - 1 metres - 1.8 metres - 3.5 metres.	Supported - as above.
East -Units 1 and 2	3.6 metres	2.1 metres - 2.7 metres - 4.5 metres - 5.7 metres - 7.1 metres.	Supported - not considered to have an undue impact on affected neighbouring property.
Upper Floor- South (Street Setback) -Balcony	6 metres	3.9 metres.	Not supported - considered to have an undue impact on the streetscape and has been addressed in the Officer Recommendation.
-Main Dwelling	6 metres	4.5 metres.	Not supported - as above.
West -Units 1 and 2	2.2 metres	Nil - 1.1 metres - 1.8 metres - 3.4 metres - 5 metres.	Supported - not considered to have an undue impact on affected neighbouring property and affected neighbor did not particularly object to the upper floor setbacks.
-Units 2 and 3	2.1 metres	Nil - 1 metre - 1.8 metres - 3.4 metres - 2.5 metres.	Supported - as above.
East -Unit 4	3.8 metres	1.2 metres - 2.2 metres - 4.5 metres.	Supported - not considered to have an undue impact on affected neighbouring property.
-Unit 2	2 metres	1.2 metres - 2.7 metres - 2.1 metres.	Supported - not considered to have an undue impact on affected neighbouring property.

Boundary Walls	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	West: -Unit 1 - height 6.3 metres - 6.5 metres (6.4 metres average wall height). -Unit 3 - height 5.9 metres - 5.6 metres (5.75 metres average wall height).	Supported - not considered to have an undue impact on affected neighbouring property and affected neighbor did not particularly object to the upper floor setbacks.
Vehicular Access	Not to occupy more than 40 per cent of the street frontage.	Occupies 41 per cent of the street frontage.	Not supported - considered to have an undue impact on the streetscape and has been addressed in the Officer Recommendation.
Building Height: Maximum Building Height	Oxford Centre Urban Design Study - as a general guideline, infill housing should be restricted to two storeys in height.	Three storeys, including roof top garden.	Supported - refer to 'Comments'.
Upper Floor - South	6 metres	7 metres.	Not supported - considered to have an undue impact on affected neighbouring property and has been addressed in the Officer Recommendation.
West - Units 1 and 2	6 metres	6.3 metres – 7 metres.	Not supported - as above.
- Units 3 and 4	6 metres	6.3 metres – 7 metres.	Not supported - as above.
North	6 metres	7 metres.	Not supported - as above.
East	6 metres	5.6 metres - 7 metres.	Not supported - as above.
Privacy Setbacks: South Upper Floor -Unit 2 – Bedroom 2	4.5 metres	3 metres to east property boundary.	Not supported - considered to have an undue impact on the affected neighbouring property and has been addressed in the Officer Recommendation.
West Upper Floor -Unit 1 – Balcony	7.5 metres	0.5 metre to western property boundary.	Not supported – as above.

East Upper Floor -Unit 4 - Bedroom 1	4.5 metres	4 metres to northern property boundary.	Not supported - as above.
Consultation Submissions			
Support	Nil		Noted.
Objection (4)	<ul style="list-style-type: none"> • Objection to the third storey. 		Not supported - refer to 'Comments'.
	<ul style="list-style-type: none"> • Objection to decorative towers. 		Supported - the height of the decorative towers is considered excessive and has been addressed in the Officer Recommendation.
	<ul style="list-style-type: none"> • Development will unduly interrupt existing streetscape comprising mainly single residences and some small apartment buildings. 		Not supported - addressed in the 'Comments'.
	<ul style="list-style-type: none"> • Objection to the height. 		Supported - the wall height of the upper floor is considered excessive and has been addressed in the Officer Recommendation.
	<ul style="list-style-type: none"> • Objection to the bulk and scale. 		Not supported - addressed in the 'Comments'.
	<ul style="list-style-type: none"> • Objection to privacy encroachments. 		Supported - addressed in the Officer Recommendation.
	<ul style="list-style-type: none"> • Concern over the protection of property during the excavation to build the basement car park. 		Noted - addressed at the Building Licence stage.
	<ul style="list-style-type: none"> • Town of Vincent Building Surveyors are to ensure that a temporary fence is erected on the eastern property boundary during construction. 		Noted - addressed at the Building Licence stage.
	<ul style="list-style-type: none"> • New colourbond fence along the eastern property boundary is to be replaced with no damage. 		Noted - dividing fences are a civil matter.
	<ul style="list-style-type: none"> • All ground surfaces, lawns and garden are to be made good on adjoining properties on completion of works. 		Noted - addressed at the Building Licence stage.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Demolition

Carr Place, formerly known as Leeder Street, was one of the early residential areas established in Perth. The majority of residential development along the street took place during the first two decades of the twentieth century. No original building plans for the place were located however, it is considered that the place was built in the post-war period in the Bungalow style of architecture. The red brick and tile dwelling has a hipped roof form and a simple two room presentation to the street with timber framed case window arrangements.

Unlike the established setback pattern formed by the remaining original houses along the north portion of the Carr Place, the subject dwelling is well set back from the road, by approximately 11.5 metres. The street has retained much of its original housing stock along the northern side however, there are many recent intrusions including some 1970/80s unit developments and a block of flats. The southern side comprises light industrial and commercial premises.

The subject property is not listed on the Town's Municipal Heritage Inventory. The place is not considered to have any specific cultural heritage value that would make it eligible for consideration for inclusion on the Town's Municipal Heritage Inventory. The dwelling is considered to require no further investigation and that a full Heritage Assessment is not warranted. Therefore, it is recommended that the application to demolish the place be approved, subject to a quality archival record and other standard conditions.

Building Height

The proposed third storey is supported for the following reasons:

- Third storey (roof top garden) does not have the full impact of a third storey as it is a roof top garden and consists largely of 1.629 metre high screen walls;
- Third storey is setback 14.26 metres from the southern (Carr Place) property boundary and, therefore, does not have an undue impact on the streetscape;
- The proposal is compliant with the overshadowing requirements of the R Codes and the building wall heights have been conditioned to comply in the Officer Recommendation; therefore, is not considered to have an undue impact on the affected neighbouring properties; and
- Given the location and proximity to the Oxford Centre Precinct, this type of development and building form is considered acceptable.

Conclusion

The proposal is supported as it is not considered to unduly impact the amenity of the adjacent or surrounding properties, given its context in relation to the Residential R80 zoning of the area and the proximity to the Oxford Centre Precinct.

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

10.1.7 No. 459 (Lot 8 D/P: 1647) Fitzgerald Street, Corner Angove Street, North Perth - Proposed Alterations and Additions to Existing Hotel

Ward:	North	Date:	11 December 2006
Precinct:	North Perth Centre; P09	File Ref:	PRO0315; 5.2006.536.1
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 Taylor Robinson Architects Pty Ltd on behalf of the owner Tegra Pty Ltd & others for proposed Alterations and Additions to Existing Hotel, at No. 459 (Lot 8 D/P: 1647) Fitzgerald Street, Corner Angove Street, North Perth, and as shown on plans stamp-dated 7 November 2006, subject to the following conditions:

- (i) the current approved maximum accommodation numbers of 853 patrons shall not be increased as a result of this approval;*
- (ii) the current approved public floor area shall not be increased as a result of this approval;*
- (iii) all new windows, doors and adjacent floor areas on the ground floor fronting Fitzgerald Street and Angove Street shall maintain an active and interactive relationship with these streets;*
- (iv) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*
- (v) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage.*

COUNCIL DECISION ITEM 10.1.7

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Tegra Pty Ltd & others
Applicant:	Taylor Robinson Architects Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre and Commercial
Existing Land Use:	Hotel
Use Class:	Hotel
Use Classification:	"SA"
Lot Area:	3212 square metres
Access to Right of Way	South side, 5 metres wide, sealed and privately owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves removal of windows along Fitzgerald and Angove Streets and replacement with larger opening windows, removal of internal staircase and replacement of balustrade, internal floor and shade cloth. There is no increase in the public floor area or to maximum patron accommodation numbers, which current stands as 853 persons.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	N/A	N/A	Noted
Plot Ratio	N/A	N/A	Noted
Consultation Submissions			
The proposal did not require advertising as it does not involve any variation to the development requirements and is being referred to Council for its consideration and determination.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Heritage

The Rosemount Hotel was on the Town's Draft Municipal Heritage Inventory (MHI). As the place has not been formally adopted onto the MHI, there are no statutory provisions in relation to heritage that need to be complied with.

Notwithstanding the above, an assessment has been undertaken of the proposal, which includes the removal of two stairs and the alteration of a number of windows along the principal facades. Whilst the works involve changes to the principal façade, it is noted that the modifications do not involve the removal of any original fabric. The place has been substantially altered over the years and no longer reflects the place's original presentation to the streets. The Town's Heritage Officers have no objection to the current proposal.

Development

The application is considered acceptable and would not result in any undue impact on the amenity of the surrounding area. The application is, therefore, supported subject to standard and appropriate conditions to address the above matters.

10.1.8 Nos. 134-136 (Lot 200 D/P: 35254) Summers Street, Perth - Proposed Carport Additions to Existing Two (2) Grouped Dwellings and Construction of Additional Three (3) Two-Storey Grouped Dwellings

Ward:	South	Date:	13 December 2006
Precinct:	Banks; P15	File Ref:	PRO0874; 5.2006.508.1
Attachments:	001		
Reporting Officer(s):	L Mach, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted the owner M Gidvani for proposed Carport Additions to Existing Two (2) Grouped Dwellings and Construction of Additional Three (3) Two-Storey Grouped Dwellings, at Nos. 134-136 (Lot 200 D/P: 35254) Summers Street, Perth, and as shown on plans stamped, subject to the following conditions:

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) *all parking bays having satisfactory manoeuvring room for access/egress;*
 - (b) *upgrading works to be carried out on the existing dwellings and including a schedule of finishes, materials and colours;*
 - (c) *the southern and western elevations of the balcony to Unit 2 on the first floor and the southern and eastern elevations of the balcony to Unit 4 on the first floor, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 138 Summer Street stating no objections to the proposed privacy encroachment; and*
 - (d) *the window to the western bedroom of Unit 2 on the northern elevation on the first floor, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window not exceeding one square metre in aggregate in the respective subject wall, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 138 Summer Street stating no objections to the proposed privacy encroachment.*

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

- (ii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Summers Street verge adjacent to the subject properties, 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);*
- (iii) *any new street/front wall, fence and gate between the Summers Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iv) *first obtaining the consent of the owners of Nos. 132 and 138 Summers Street and No. 39 Windsor Street, Perth for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 132 and 138 Summers Street and No. 39 Windsor Street, Perth in a good and clean condition; and*
- (v) *prior to the first occupation of the development, the applicant/landowner shall provide two signs, one at each end of the 2.42 metres wide driveway, clearly visible to users of the driveway and stating the following in red letters 100 millimetres high on a white background:*
- “Caution – Narrow driveway (2.42 metres wide) – Proceed with Care”;* and
- (vi) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	M Gidvani
Applicant:	M Gidvani
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Grouped Dwellings
Use Class:	Grouped Dwellings
Use Classification:	"P"
Lot Area:	1115 square metres
Access to Right of Way	N/A

BACKGROUND:

24 November 1997 The Council at its Ordinary Meeting conditionally approved the retention of the two existing dwellings and the construction of four two-storey dwellings to the rear of the subject property.

13 June 2000 The Council at its Ordinary Meeting resolved to refuse an application to demolish the two existing dwellings and the construction of six, two-storey grouped dwellings at the subject property.

26 September 2000 The Council at its Ordinary Meeting conditionally approved an identical development application to that approved by the Council at its Ordinary Meeting held on 24 November 1997 for an additional four, two-storey with loft above grouped dwellings to two existing dwellings at the subject property.

8 October 2002 The Council at its Ordinary Meeting conditionally approved an application for a proposed additional four, two-storey with loft grouped dwellings and alterations and additions to two existing dwellings at the subject property.

14 June 2005 The Council at its Ordinary Meeting conditionally approved an application for partial demolition of and alterations and additions to existing two (2) grouped dwellings and construction of additional four (4) two-storey grouped dwellings at the subject property.

DETAILS:

The proposal involves carport additions to existing two (2) grouped dwellings and construction of additional three (3) two-storey grouped dwellings. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	6 dwellings R 60	5 dwellings R 44.8	Noted- no variation.
Plot Ratio	Lot 1: 0.65 - 153 square metres	Lot 1: 0.46 - 108 square metres	Noted- no variation.

	<p>Lot 2: 0.65 - 133 square metres</p> <p>Lot 3: 0.65 - 132 square metres</p> <p>Lot 4: 0.65 - 133 square metres</p> <p>Lot 5: 0.65 - 168 square metres</p> <p>Overall: 0.65 - 725 square metres</p>	<p>Lot 2: 0.52 - 106 square metres</p> <p>Lot 3: 0.52 - 106 square metres</p> <p>Lot 4: 0.52 - 106 square metres</p> <p>Lot 5: 0.50 - 130 square metres</p> <p>Overall: 0.50 - 556 square metres</p>	
Setbacks:			
<u>Ground Floor</u>			
West (carport)	1.0 metre	Nil	Supported- minor variation, no undue impact on neighbouring property. Supported- as above and abuts driveway. Supported- minor variation, no undue impact on neighbouring property and adjacent to blank brick wall. Supported- minor variation, no undue impact on neighbouring property and adjacent to driveway.
East (carport)	1.0 metre	Nil	
West (Unit 2)	1.5 metres	Nil	
East (Unit 4)	1.7 metres	Nil	
<u>Upper Floor</u>			
West (Unit 2)	4.4 metres (or 2.0 metres if balcony screened to full height)	Nil-1.49 metres	Supported- refer to "Building on Boundary".
East (Unit 4)	4.9 metres (or 2.2 metres if balcony screened to full height)	Nil-1.49 metres	Supported- refer to "Building on Boundary".
Privacy Setbacks	<p>Outdoor habitable areas -7.5 metres or appropriately screened.</p> <p>Bedrooms -4.5 metres or appropriately screened.</p>	<p><u>Unit 2</u> Bedroom is 2.0 metres to western boundary</p> <p>Balcony is 1.49 metre to western boundary</p> <p><u>Unit 4</u> Bedroom is 2.0 metres to eastern boundary</p>	<p>Not Supported- has been conditioned to comply.</p> <p>Not Supported- has been conditioned to comply.</p> <p>Supported- overlooks common property/driveway area.</p>

		Balcony is 1.49 metre to eastern boundary	Not Supported- has been conditioned to comply.
Wall Height	6.0 metres	Up to 7.1 metres	Supported- no undue impact on neighbouring properties and streetscape, no objections received and significant slope of site.
Excavation	Excavation or filling between the street alignment and building, or within three metres of the street alignment, whichever is the lesser, not exceeding 0.5 metre.	Retaining up to 1.3 metres.	Supported- as above.
Car Parking	-2 spaces per dwelling -1 visitor car bay	-Lot 1 and 2 (existing dwellings)- one car bay each -Nil visitor car bay provided	Supported- overall shortfall in car parking remains the same as the current situation as existing dwellings currently has no on-site car parking, off-site car parking is available and variation is considered supportable in this instance, given site constraints due to the retention of the two heritage listed dwellings.
Driveway Width	3.0 metres	2.42 metres	Supported- compliance with this matter would require demolition of dwelling and therefore, this variation is supported on the basis of the site constraints and the conditioned 'caution' signs would partially alleviate concerns over safety.
Open Space	45 per cent	Unit 1 - 44 per cent Unit 5 - 41 per cent Overall- 52 per cent	Supported - minor variation in this instance, site constraints due to the retention of the two heritage listed dwellings, all dwellings are provided with functional areas of private open space, and overall site's open space is compliant thus, reducing the site's confinement.

Building on Boundary	One boundary wall is permitted with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6% length of boundary	Two boundary walls proposed: Western boundary walls has height of up to 5.5 metres (Unit 2) and 2.66 metres (carport) for 60 % of boundary. Eastern boundary walls has height of up to 7.1 metres (Unit 4) and 2.9 metres (carport) for 57% of boundary.	Supported- number of buildings on boundary is supported on the basis there are site constraints relating to the retention of the existing dwellings; eastern boundary walls abuts car park and western boundary is adjacent to blank brick wall and therefore these wall are not considered to have an undue impact on the amenity of the adjoining properties.
Consultation Submissions			
Support	Nil		Noted.
Objection	Nil		Noted.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Heritage

The subject place at Nos. 134-136 Summers Street, Perth comprises a pair of intact limestone Federation Georgian bungalows. The subject dwellings were entered onto the Town's Municipal Heritage Inventory (MHI) on 22 December 1997. The Town's MHI is currently been reviewed and at the Ordinary Meeting of Council held on 12 September 2006 a number of places, including the subject dwellings were formally adopted onto the revised MHI with a Management Category B - Conservation Recommended listing. It is considered that the proposal does not have an adverse impact on the identified cultural heritage values of the dwellings.

Redevelopment

The subject property is located on the northern side of Summers Street, which is characterised by commercial premises and a range of dwelling types including single storey dwellings and grouped and multiple dwellings which are located on the adjoining sides of the subject property.

Although the application seeks a number of variations, it is recognised that there are significant site constraints due to the retention of the two dwellings of significant heritage value. It is also noted that the current proposal is one less dwelling than the current approval for the site. In light of this, no objections being received and the surrounding context in mind, the proposal is considered not to be unreasonable, out of character for the area and/or to unduly impact on the amenity of the area. It is also considered that the application is generally in line with the previous approvals for similar proposals at the subject site and a reasonable amenity is provided for each proposed dwelling.

On the above basis, the subject planning application is recommended for approval, subject to standard and appropriate conditions to address the matters discussed above.

10.1.9 No. 4 (Lot 499 D/P: 25511) Hunter Street, North Perth - Proposed Two Storey Single House

Ward:	North	Date:	12 December 2006
Precinct:	North Perth; P08	File Ref:	PRO0491; 5.2006.558.1
Attachments:	001		
Reporting Officer(s):	E Saraceni		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by B Spaseski on behalf of the owner B & Z Spaseski for proposed Two Storey Single House, at No. 4 Hunter Street (Lot: 499 D/P: 25511) North Perth, and as shown on plans stamped 20 November 2006, for the following reasons:

- (i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) *the non-compliance with the building height requirements of the Town's Policy relating to the Knutsford Locality, which states a height limit of two-storey development;*
- (iii) *the non-compliance with the building height requirements for two-storey development under the Residential Design Codes; and*
- (iv) *the building height requirements to be varied is as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements.*

COUNCIL DECISION ITEM 10.1.9

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	B & Z Spaseski
Applicant:	B Spaseski
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/R40
Existing Land Use:	Vacant
Use Class:	Single House
Use Classification:	"P"
Lot Area:	209 square metres
Access to Right of Way	N/A

BACKGROUND:

17 January 2006

The Council at its Ordinary Meeting conditionally approved an application for a two-storey with loft single house subject to standard and appropriate conditions, including compliance with the height requirements of the Residential Design Codes and the deletion of the loft structure.

25 July 2006

The Council at its Ordinary Meeting conditionally approved an application for a two-storey single house with an undercroft garage subject to standard and appropriate conditions.

DETAILS:

The proposal involves the construction of a two-storey single house with an undercroft garage. The proposal varies from that previously approved by the Council at its Ordinary Meeting held on 25 July 2006 as the applicant is proposing to raise the finished floor level of the ground floor by 400 millimetres in order to accommodate the undercroft garage.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Setbacks: Ground Floor-Front (Hunter Street)	4 metres	3-3.5 metres	Supported- reduced setback was previously approved by Council on 25 July 2006.
South	2.2 metres	1.4 metres	Supported- as above.
North	1.5 metres	Nil	Supported- as above.
East (rear)	1.5 metres	Nil-4.25 metres	Supported- as above.
Upper Floor-Front (Hunter Street)	6 metres	2.59 (balcony)- 3.5 metres	Supported- as above.
East (rear)	1.9 metres	1.2 metres	Supported- minor variation and no undue impact on neighbouring property.
Height:	6 metres to the top of the external wall	Height of the walls adjacent to Hunter Street ranges from 6.1 metres to 6.3 metres	Not supported- height is part of the Town's Non-Variation of Specific Development Standards and Requirements Policy. Whilst the subject site is sloping, it is currently vacant and the slope is not steep enough to warrant such a variation. The height variation will also have an undue impact on the amenity of the existing streetscape.

Buildings on boundary:	One wall built up to the boundary is permitted with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6% length of the boundary.	- Two boundary walls proposed - Northern boundary wall has an average height of 3.5 metres, and eastern boundary wall has an average height of 3.4 metres.	Not supported- considered to have an undue impact on neighbouring properties.
Consultation Submissions			
No advertising of the subject proposal was undertaken because the Officer Recommendation is for refusal. If the Council is inclined to approve the subject proposal, the proposal is required to be advertised in accordance with the Town's Community Consultation Policy.			
Other Implications			
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications		Nil	
Financial/Budget Implications		Nil	

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

COMMENTS:

The proposed height variations will have an undue impact on the amenity of the existing streetscape as they will directly affect the façade facing Hunter Street. In light of the above, the proposal is recommended for refusal.

10.1.11 Australian Institute of Environmental Health 33rd National Conference

Ward:	-	Date:	12 December 2006
Precinct:	-	File Ref:	ADM0031
Attachments:	-		
Reporting Officer(s):	R Boardman		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECIEVES the report on the attendance of the Executive Manager Environmental and Development Services at the Australian Institute of Environmental Health 33rd National Conference held from 8 to 10 November 2006 at the Four Points by Sheraton, Sydney, New South Wales.

COUNCIL DECISION ITEM 10.1.11

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council on the Australian Institute of Environmental Health 33rd National Conference held between 8 and 10 November 2006.

BACKGROUND:

The Executive Manager Environmental and Development Services attended the 33rd National Conference held at the Four Points by Sheraton, Sydney, New South Wales from 8 to 10 November 2006.

The theme of the Australian Institute of Environmental Health 33rd National Conference was "Environmental Heath: What Lies Beneath" which focussed on the range of domains Environmental Health Practitioners become involved in and highlighted some of the not so common practices performed by practitioners. The area of Environmental Health continues to grow, with greater emphasis being placed on environmental management and sustainability. Environmental Health Practitioners are being looked to for direction and guidance in this area, in addition to the traditional domains of Food Safety and Communicable Diseases.

DETAILS:

The conference was officially opened by Peter Sutherland, Director, Technical and Program Verification, NSW Food Authority where delegates were welcomed to Sydney and encouraged to visit the city's various facilities and attractions.

Speakers Summary

How did we get here - from nuisance inspectors to EHO's, a fascinating and confronting look at our history and future

Dr Peter Tyler

Nineteenth century nuisance inspectors evolved into health inspectors, then health surveyors and finally Environmental Health officers as their duties expanded over the following hundred years. Nevertheless, a common thread has been the prevention and control of infectious disease. Initially the concerns were about smallpox, typhoid and bubonic plague. As each of these in turn was brought under control, other epidemics took their place, with influenza pandemics, diphtheria and poliomyelitis becoming major causes of both illness and death during the first half of the twentieth century.

These were superseded by the "lifestyle diseases" that seemed to reach epidemic proportions although they were not caused by the traditional disease vectors. Now there are threats of avian flu, as well as rare communicable diseases from Africa and other developing countries, for which no effective treatment has been discovered. Have we become complacent about finding a medical solution? Is infectious disease a phenomenon that is always going to be with us in some form? Is this going to create challenges for the modern Environmental Health officer? Have public health practices that proved effective in the past been swamped by more fashionable concerns? These are issues that need to be addressed by the contemporary practitioner.

Food Safe Past, Present and Future - A look at the highly successful Foodsafe© training package and future innovations in education

Darren Ponton, City of Perth

In 1997, it was realised that the AIEH did not have sufficient financial resources to fully fund an advertising campaign that could exploit the full potential of FoodSafe in either the State or national level, a situation that continues to this day, as the Institute is a not-for-profit organisation largely funded by membership subscription, taking risks with expensive advertising campaigns is not in the members best interests.

In 1997, at every opportunity, EHOs liaised with industry groups explaining how the FoodSafe Program could be used to improve standards. The food industry began to get behind the Program in the following ways:

- FoodSafe leaflets were included (at no cost) in two major food industry journals (WA Food News and the MBL Bulletin), reaching nearly 10,000 premises in WA. This support was invaluable given the cash flow situation.
- The Restaurant and Caterers Association adopted FoodSafe as part of its Gold Licence Accreditation Award for Caterers.
- The Catering Institute provided free wall display space for FoodSafe information at its Catering Expo.
- School Canteen managers adopted FoodSafe through their trade and professional associations, providing space at state conventions and conferences together with newsletter support.
- The Food Centre of WA provided display space at an Industry Expo.
- Rural Youth provided display space for FoodSafe at the Food Fest Expo.
- WA Retail Skills supported FoodSafe by providing space at its open day for industry.

After ten years, the FoodSafe program continues to support the members of the AIEH, firstly by providing a benchmark to assess baseline level of skills and knowledge for food handlers, and secondly as an important revenue stream for the organisation. The FoodSafe initiatives:

- Demonstrate that EHOs and the food industry can effectively work together to raise standards and ultimately improve public health.
- Provide industry with the tools to implement appropriate food safety programs.
- Enable consumers to identify premises where food has been handled with care.

RABQSA and the National Food Safety Auditor Scheme - An update to Food Safety Auditing Certification in Australia

Peter Holtman, RABQSA

On 1 May 2006 the Australian Government and RABQSA International launched the National Food Safety Auditor (NFSA) certification scheme. The scheme represents a world's first in terms of government and industry engagement on an issue of national importance involving food safety. The scheme is the catalyst for the coming together of producer, supplier, regulator and retailer in the aim of unifying food safety standards, audit consistency and conformity assessment rationalization.

It is the view of the Australian Government; the food production, manufacture and retail industries; and RABQSA that the national development of an accredited, competency-based, auditor certification scheme provides considerable benefits to industry. By providing consistent and reliable assessment and certification of professionals working within the food safety certification industry, confidence and value are injected into a mature but inconsistent market. Having the support and endorsement of government, industry and accreditation ensures the National Food Safety Auditor scheme will be successful, long-lived and purposeful. RABQSA will strive to ensure its certification delivers the right people, with the right abilities, to achieve the right outcomes.

Upskilling for Food Auditing - A look at the new National Food Safety Auditor Units of Competence

Eric Middledorp, OTEN TAFE NSW

The following factors were discussed and require to be addressed:

- Roles/responsibilities of FSA
- Defining the audit
- Risk and technical complexity (different 'Levels' of Auditor certification)
- Personal attributes and RPL/RCC
- Training and the Aust VET system
- Cost of FSA certification and impact on audit costs

FSA Competencies also discussed:

- Identify, evaluate and control food safety hazards
- Communicate and negotiate to conduct food safety audits
- Conduct food safety audits
- Assess compliance with food safety programs

Behind Bars - A unique look at health in gaol

Glenda Fisher, Environmental Health Officer, Justice Health/Dept Corrective Services

This paper discussed the justice health profile, community profile, length of stay, risk assessment provision, food provision, sanitation, skin penetration, buildings and equipment, and improvements achieved in correctional and detention centres in New South Wales.

Closure of a large smelter - the impact on blood lead levels

Dr Craig Dalton, Hunter New England Population Health (NSW)

The lead-zinc smelter at Boolaroo, NSW near Newcastle, was in operation from 1897 to September 2003. A study in 1991 found that 84% of children under 5 years of age had blood lead levels $\geq 10 \mu\text{g/dl}$. Blood lead levels were elevated for several kilometres around the smelter, with contributions from historic emissions and ongoing fugitive emissions from the smelter. A local Environmental Health Centre was established to provide health promotion, free blood lead testing, individual case management, and assistance with home cleaning. Although minimal residential environmental lead abatement was attempted, programs were terminated in 2001 because of rapid recontamination from ongoing smelter emissions. Marked reduction in air lead levels has occurred since 1991 in response to attempts to comply with national guidelines. Blood lead levels in children declined rapidly in the first six years of the program but from 1997 to 2003 the average blood lead levels plateaued with approximately 30% of locally tested children having a blood lead $\geq 10 \mu\text{g/dl}$. The smelter ceased operations in September 2003. By 2005-2006, the proportion of children with blood lead levels $\geq 10 \mu\text{g/dl}$ declined to four percent and seven percent among those less than 13 years and five years respectively with suppression of the blood lead peak previously seen around two years of age. Closure of the smelter without significant local remediation appears to have made a significant impact on children's blood lead levels, especially among children under three years of age, the peak age for accumulation of body lead burden.

An overview of what has worked and what's next in Western Sydney

Monique Desmarchelier and Graham Pares, Penrith City Council

The following Health Principles were discussed:

- Increase social cohesion
- Promote physical activity
- Safety
- Access to Food
- Address equity

The objectives of the Healthy People Partnership Officer (HPPO) engaged by Penrith City Council include:

- To increase capacity within Council through the integration of health principles in Council activities to strengthen health gains in the Penrith Community
- To undertake health promotion interventions in the community in consultation with SWAHS and other organisations; for example, healthy weight, tobacco prevention, healthy ageing.

Spot the Problem - measles outbreak case study 2006

Dr Vicky Shoppeard, Jeremy McAnulty, Sue Campbell-Lloyd, NSW Department of Health

The largest outbreak of measles since 1998 is 60 cases. This disease is able to persist due to accumulation of large unvaccinated population and introduction from overseas outbreaks. Public health interventions (MMR & NHIG) are effective. Vaccination rates of children and particularly young adults need to be improved to prevent future outbreaks.

A Crusty Business - ADF Environmental Health Support - Pakistan earthquake 2005

SqdLdr Tim Strickland, Royal Australian Air Force

On 8 October 2005, an earthquake with a magnitude of 7.6 on the Richter Scale struck the provinces of Azad Jammu Kashmir (AJK) and North West Frontier (NWF). Initial casualty estimates were 73,000 dead, 70,000 injured and up to 3.5 million left homeless. As part of Australia's whole of government (WhOG) response, the Australian Defence Force (ADF) committed four primary health care teams, four Blackhawk helicopters and over 140 personnel in early November 2005, to provide humanitarian aid in support the international relief efforts. In the end, the ADF's contribution over a five month period included the provision of over 9 500 medical treatments, in excess of 4 000 immunisations, 74 aero medical evacuations and the delivery of thousands of tonnes of aid (food, shelter, clothing).

The presentation highlighted the Environmental Health issues confronted by the ADF team in their delivery of the humanitarian aid aspects of Operation Pakistan Assist. In particular, the problems confronted by the communities affected by the earthquake, (such as environmental conditions, shelter, water, sanitation, food safety, waste management and communicable diseases etc) and those affecting the ADF personnel themselves (communicable disease threats, field hygiene, environmental management, waste management etc) were examined. The use and adaptation of field hygiene equipment and methods was examined and their role in providing fundamental but effective hygiene and sanitation conditions was showcased.

A Breath of Fresh Air – Victoria's Strategy to Fight Legionella

Christy Boucher - DHS (Vic)

In Australia's largest outbreak of Legionnaires' disease in April 2000, 95 people were hospitalised and 4 died as a result of inhalation of aerosols from cooling towers contaminated with Legionella at the Melbourne Aquarium. This outbreak, coupled with two smaller outbreaks in the Melbourne metropolitan area, were instrumental in driving the development and implementation of the Victorian Legionella Reform Strategy from March 2001.

The strategy introduced Australia's tightest management control of cooling tower systems and addressed 5 key project areas - legislative reform; registration of cooling tower systems; development and annual review and auditing of risk management plans (RMPs); information and education; and enhanced technical advisory and inspection/sampling services.

During the first 5 years of implementation, the percentage of cooling tower water samples taken by DHS that tested positive for Legionella decreased by 56%, and marked improvements were noted in the cleanliness of systems as indicated by reductions (78%) in the heterotrophic colony count (HCC) of samples taken by DHS. Other indicators for the strategy show recent high levels of compliance; for example, 99% of registrations were renewed within time and 92% of registered systems had RMPs.

The improvements in cooling tower regulation and compliance has also seen a corresponding decrease in cases of legionellosis with an 83% reduction has occurred in the number of notifications of Legionella pneumophila in Victoria since 2000.

The continued decreased in adverse events and notifications of Legionnaires' disease is evidence that the DHS approach is working. The Environmental Health Unit continues to work closely with other DHS units to investigate cases and contaminated systems to identify opportunities for and make improvements to our strategy.

Furthermore, EHU has been active in identifying research priorities and obtaining funding to build a stronger evidence base for Legionella risk management activities.

Liquid Gold – A broad overview of managing water safely for communities across Australia into the 21st century.

Kaye Power & Sandy Leask (NSW Department of Health)

The management of drinking water, wastewater, water recycling and recreational water remain significant public health issues. The concentration of much of Australia's population in large urban centres focuses attention on these centres. There is a need to ensure adequate levels of service and support for communities in regional, rural and remote areas.

NSW Health has regulatory programs for major metropolitan water utilities covering drinking water, wastewater, and water recycling. The NSW Health Drinking Water Monitoring Program provides support to regional and rural water utilities, which are mainly local councils, to apply the Australian Drinking Water Guidelines. The Guidelines incorporate the Framework for the Management of Drinking Water Quality, which emphasises a preventive approach. NSW Health is supporting implementation of the NHMRC Community Water Planner: A tool for small communities to develop drinking water management plans.

Special strategies are being developed to improve drinking water management in Aboriginal communities, remote schools and at premises with a private water supply such as caravan parks and campsites.

At the national and state level, NSW Health is participating in the development and implementation of guidelines and regulations for water recycling and recreational water. Water shortages and drought have increased the interest in water recycling in many parts of Australia. It is important that the risks associated with recycling are understood and appropriately managed. NSW Health has a central role in ensuring that this happens.

Terrestrial Environmental Contamination and Its Management

Takashi Itakura PhD (*Sydney*) MIEAust CPEng CPSS, Principal Consultant – Land Contamination and John Hills BSc (Hons) Principal Consultant – Hazardous Materials

Past practice consisted of production driven by Industry, limited regulatory control, limited concerns with its impact on the environment resulting in unregulated waste discharge/emission and uncontrolled waste transport and disposal. In Australia, Environmental Protection measures including those for waste disposal were not considered until the 1970s

Current Management Practice consists of:

- 1) Setting procedures used to assess the nature and extent of terrestrial contamination, for example....
 - NSW Department of Urban Affairs and Planning (1998) Managing Land Contamination, State Environmental Planning Policy No. 55 – Remediation of Land;
 - NHMRC (2004) National Water Quality Management Strategy, Australian Drinking Water Guidelines;
 - National Environmental Protection Council (1999) National Environmental Protection Measures;
 - enHealth Council (2001) Health Impact Assessment Guidelines; and
 - enHealth Council (2002) Environmental Health Risk Assessment.
- 2) Assessing and controlling the fate and transport of contaminants in the terrestrial environment, considering five major transport components including advection, diffusion, dispersion, sorption and biodegradation.

3) Technical Management Options consisting of:

- Excavation and disposal (a range of contaminants including asbestos);
- Conventional vapor extraction (organic compounds);
- Bioremediation (organic compounds);
- Thermal desorption (organic compounds);
- Solidification and stabilization (heavy metals);
- Phytoremediation (plant uptake) (heavy metals); and
- Vitrification (heavy metals and radionuclides).

BASIX (The Building Sustainability Index) - Lessons from implementation in NSW

David Eckstein, Dept of Planning (NSW)

While BASIX is perhaps best known for its focus on seeking to address critical environmental issues of climate change and water conservation, the policy and web tool have demonstrated how the planning system can be delivered electronically to great effect.

Changing from a paper-based to an on-line planning system is not just achievable – electronic delivery is enabling a high standard of timely monitoring of design outcomes.

This ‘lessons learned’ presentation described the first two years of BASIX operation and included evidence of changes to building designs that have been driven by BASIX.

Dig Deep – A fascinating look at the taboo topic of exhumation from the perspective of an EHO

An overview was given of an experience at Crookwell Cemetery (NSW) in 1977.

Conditions of Approval include:

- Gravesite to be screened from public view
- no relative permitted to be present
- remains of deceased and the original coffin shall be enclosed in a metal or other rigid watertight casing
- Plan of Management.

Reasons For Exhumations include:

- Body to be cremated, transferred to vault, or sent overseas
- Body for overseas requires an embalming certificate
- Body to another part of same cemetery
- Body to a different cemetery
- Body placed in wrong grave
- Body in pauper’s grave
- Compulsory acquisition of land for reuse

Nine Issues That Could Derail the Australian Pandemic Plan

Athol Yates

Australia’s pandemic plan is undoubtedly one of the best national plans in the world. However, this does not mean that the nation’s response to a deadly influenza outbreak could not be derailed. The one thing that past epidemics and pandemics, such as influenza, HIV AIDs and SARs have shown us is to expect the unexpected. Unanticipated developments

mean that even the best laid plans can be quickly derailed. Given this lesson and the seriousness of the pandemic threat, business continuity managers need to plan for a failure of the Australian pandemic response and plan to rapidly deviate from their own pandemic plans if it becomes evident that the situation is not being well managed.

To enable organisations' pandemic plans to become more robust, this paper detailed the issues which could derail Australia's pandemic response by providing background on the possible economic, social and political consequences of panic, and a pandemic and then examining what did not go to plan in the 1918-1919 pandemic.

It concluded with an examination of the six top factors that that could derail Australia's pandemic response. The following publications provide an understanding of Australia's pandemic response:

- *National Action Plan for Human Influenza Pandemic*
- *Australian Health Management Plan for Pandemic Influenza*
- *Australian Management Plan for Pandemic Influenza*
- the relevant State or Territory plan
- the reader's organisation pandemic plan

Possible economic, social and political consequences of panic and a pandemic include:

- Accurately predicting the impact of a pandemic is impossible. There are simply too many variables.
- Variables include not only the transmissibility and lethality of the disease, and Australia's medical response, but how quickly government, business and the community respond to minimise the economic, social and political consequences.
- Below is an overview of what is likely for a well-managed, mild pandemic influenza in terms of economic, social and political impacts.

Economic impacts

- The macro-economic impact of a pandemic will be significant, even for localised outbreaks.
- It is commonly believed that the biggest economic impact will be the deaths and absenteeism of workers during a pandemic. This is not correct. The biggest impact will be caused by a loss of confidence on the part of the buying public, leading to a reduction of demand during a pandemic. This means that workers will be retrenched and businesses will collapse under a loss of revenue. As the pandemic subsides and people are willing and able to return to work, they may find that that they do not have jobs. The problems will increase as the labour supply grows yet demand will not rise at the same rate, as people will not have the confidence in the economy to spend at their pre-pandemic rate. A reduction in wages in the post-pandemic period can be expected.
- From an economic perspective, the biggest impacts will not be felt during a pandemic, but in the months and possibly years following it.

Social impacts

The social impacts of a pandemic may include:

- Panic buying of food and medical goods.
- During the 2003 Canberra bushfires, it took about 3 hours for all essential supplies of batteries, bottled water and other critical products to disappear from shelves. During the SARS outbreak in Hong Kong, it took about just a few hours before some products disappeared. The vulnerability of the Australia public to food supply disruptions is highlighted by the fact that Australia has about 5 days of fresh food in the supply chain.
- Changes to business etiquette.
- Changes to the preferred place to shop.
- Increases in the acceptance of non-face to face contract.
- Acceleration of the sea-change effect.
- Preference for secure jobs.

Political impacts

The political impact of a pandemic influenza will be dominated by how governments respond to the pandemic. While governments will experience criticism that they were insufficiently prepared and failed to inform the public of the necessity to prepare, in Australia's case this will have limited political impact as the preparation will be seen as one of the best in the world.

However, if the government fails to act when a pandemic appears to be developing or acts inappropriately, then the political damage will be considerable. As in the past, governments and oppositions will probably use the pandemic to score political points. For example, it is probable that the opposition will claim that the 'authoritative figure' appointed to reassure the public will be accused of just mouthing the political agenda of the government. It is also likely that governments will transfer blame for failures to other levels of government, which has again happened in the past.

Six issues that could derail Australia's pandemic response

There are seven main issues which could derail Australia's pandemic response – resulting in large scale deaths, massive unemployment and economic devastation. These are listed below.

- Waiting too long to raise the pandemic alert level
- A lack of confidence in governments' ability to manage a pandemic
- A lack of focus on the post-pandemic recovery phase
- Too little attention given to the fall back strategy of the *Maintenance of Social Function*
- Failure by critical infrastructure organisations to consider the unique factors of pandemics in their response planning
- Businesses fail to have business continuity plans and those that do, fail to incorporate pandemic mitigating activities into their plans

There are a host of other issues that could derail Australia's response to a pandemic. These include that the transmissibility and lethality of the influenza virus is different from the past, and that antivirals prove to be ineffective as both a prophylactic and a treatment. This last point would cause major problems as Australia's pandemic response relies on the effectiveness of antivirals to ensure that medical and border security personnel continue to operate during a pandemic. If antivirals prove to be ineffective, then containment may not occur as expected.

Dozens of other issues could be identified which would lead to a poorly managed response to an Australian pandemic. What is important for business continuity managers is not so much the reason for the failure but the need to expect failures and plan for the unexpected. The key is to develop plans and options that can be rapidly tailored in an environment of uncertainty and fluidity.

You're Wasted! – Actively chasing illegal dumping, a regional approach

Ross Bentley & Stephen Gillis

RID Squad Background consists of 5 investigation officers and 6 Councils, and operates outside normal business hours on a 7 day rotating roster, using covert and overt surveillance. They also engage in public education and community liaison.

Fines consist of:

\$60 - Litter (small item)

\$200 - General litter

\$750 - Transport of Waste to a place not lawful (individual)

\$1500 - Transport of Waste to a place not lawful (company)

\$1500 - Permit land to be used as a Waste Facility (\$5000 for a company)

\$5000 - Transport of Waste hazardous, > than 2 tonnes)

Community Education embraces:

- Development of promotional brochure and posters
- Displays at Shopping Centres and Council Open Days
- Presentations at Seminars, conferences and Council functions

The statistics and results clearly demonstrate the effectiveness of the Squad's activities in the region. If no illegal dumping deterrent program was available in the Region:

- **1795** illegal dumping incidents would not have been investigated
- **493** infringements would not have been issued
- **\$120,000** fine income would not have been received into the regional SEINS pool.
- Environmental pollution caused by illegal dumping would not have been reduced.

The Carrot & The Stick - An integrated approach to waste industry compliance

Julian Thompson - Waste Operations Section - Department of Environment and Conservation (NSW)

Reforms have simplified provisions:

- POEO (Waste) Regulation 2005 – Residue Wastes
- application of higher risk wastes to land POEO Amendment Act 2005
- clarify materials to be defined as “waste”
- new offences and powers POEO (Waste) Regulation 2005
- simplify waste tracking (on-line)
- simplify generic storage and transport

Residue Wastes

- Part 5 of the POEO (Waste) Regulation 2005
- These are higher risk wastes that are prohibited from land application for growing vegetation unless exempted by DEC
- Aim is to distinguish beneficial uses from those that cause harm

Storage and transport of waste

- Part 6 of the POEO (Waste) Regulation
- Stored in an **environmentally safe manner**
- Transport of waste
- To prevent spillage of the waste
- Secured safely on the vehicle
- Covered during its transportation
- Do not mix or transport incompatible wastes
- Do not mix with other waste any material segregated for recycling

There is more fuel, fill, fertilizer – the “3F’s” a revised definition of waste to clarify that wastes used as 3Fs remain waste unless exempted by DEC – late 2006. The regulations may prescribe any substances to be a waste.

Waste levy increases

\$6/yr for 5yrs (plus existing CPI & increase) – commenced 1 July 2006.

Future Waste Levy rates:

- Sydney 2006/07: \$30.40/tonne
- Sydney 2011/12: ~\$56-58/tonne

Waste Compliance Campaigns

Sydney based waste compliance program commenced 3 years ago and proved so successful that it has been enhanced for statewide implementation. The program focuses on high risk waste issues and compliance problems across waste industry. Pro-active compliance campaigns that assist waste operators understand and meet their legislative obligations and increase the visibility of DEC as an active regulator.

An integrated and proactive approach using a broad range of compliance tools has been adopted. A mix of skills and expertise (investigative, scientific, technical, legal) include:

- Targeted inspections
- Sector-based compliance programs
- Education and raising awareness
- Cleaner industry programs
- Monitoring and data analysis
- Enforcement

The outcomes achieved to date include:

- Improved regulatory framework
- Waste regulation continues to evolve
- The “big stick” can be used
- Improved knowledge of industry
- Levelling the regulatory ‘playing field’
- Building mutual respect to achieve compliance
- More efficient use of public resources
- Improved environmental and social outcomes

Smoke gets in your eyes - Analysis of bushfire smoke health impacts in Sydney, 1994-2002

Vicky Sheppard & Behnoosh Khalaj

Bushfires in Australia

Obvious effects are;

- Responsible for most death and injury from a natural disaster in Australia
- \$77 million in economic losses annually
- Acute effects of smoke inhalation, burns and other trauma
- Bushfire Smoke
- Bushfires generate particulate matter (PM) air pollution, and many gases
- Proximity of many Australian communities to vast areas of bush –potential exposure of large populations during wildfires and hazard reduction burns

Particulate matter sources are combustion, soil, sea spray, “biological”, secondary formation from combustion gases, motor vehicles (esp diesels), bushfires, wood heaters, industry; cooking, “biologicals” and wood heaters

Health effects of short-term exposure to Particulate Matter include, established adverse effects on mortality (all cause, cardiovascular & respiratory), associations with increased emergency admissions and attendances for a range of cardiac and respiratory diseases and associations with increased respiratory symptoms, changes in lung and cardiac function.

Bushfire smoke health effects

Research was carried out on the cities with predominant motor vehicle and industrial sourced PM to assess whether PM from bushfires have the same effects as other PM.

The research revealed:

- No significant effect demonstrated on mortality or cardiovascular admissions
- Consistent and significant effects on respiratory admissions
- Exception is childhood asthma – is this a demonstration of the effectiveness of preventive measures? (compare to Johnston study in different exposure context)

Further research is needed to predict effect of climate change on bushfire incidence and intensity and understand relative efficacy of protection measures

- stay inside?
- Air conditioning?
- Masks?

Outdoor Concert Noise Management and Community Surveys

Albert Meyerkort

Introduction

Outdoor concerts have become increasingly popular in Perth venues such as sporting stadiums and major park reserves near geographic features such as the Perth City Swan River foreshore and parklands, Swan Valley, Subiaco Football Oval and WA Cricket Association stadium. Noise legislation amendments in 1997 allowed for specific approval of outdoor concerts, which set a limit of not more than two concerts per location in a 12 month period. Further concerts could be approved if it was demonstrated that the majority of affected occupiers did not object. A community survey was seen as an appropriate way of determining the level of affected occupier objections to holding more concerts.

In response to the demand for approving a large number of outdoor concerts, the City of Perth conducted such a survey for three popular outdoor concert venue locations. The findings of the survey and preferences of people surveyed were used to support a larger number of concerts than previously expected. The concerts were largely centred at its most popular venue, the Supreme Court Gardens located on the Swan River foreshore. Appropriate policies and procedures were developed to assist the noise management and sustainability of a substantial annual program of concerts.

Noise Legislation

The specific Western Australian legislation for the approval of outdoor concerts is the Environmental Protection (Noise) Regulations 1997 (hereon referred to as the "regulations"), made under the Environmental Protection Act 1986. In 2000 Local Government was further delegated to approve outdoor events such as concerts under regulation 18 where the normal assigned noise levels were likely to be exceeded. The term for permitting such an activity is an "approved non-complying event", where it is necessary to exceed normal regulation assigned noise levels in order to maintain its character and usefulness.

The regulations allow for the CEO to approve events subject to relevant noise management conditions. Typical noise management conditions include:

- 1) Use of acoustic consultants in noise management advice, monitoring and reporting;
- 2) Maximum sound levels of 95-102 dB LAeq(60sec) at the mixing desk located 30m from the stage and 75 dB(A) at residences;
- 3) Stage orientation away from noise sensitive locations;
- 4) Loudspeaker design and arrangement that reduce sound travel distance;
- 5) Controlling event duration and finishing no later than 10-11pm;
- 6) Community notification leaflets;
- 7) Noise complaint service

Provision is made in the regulations for neighbouring local governments whose occupiers are affected by the noise to agree to the conditions. If there is disagreement among local governments the Minister of Environment may decide on the matter. The regulations only provide for a broad framework and do not address specific noise management issues such as whether any of the above conditions must be addressed.

Community Survey

The overall objectives of a community were to gauge the affected community's preferences on outdoor events and provide a basis for approval of applications, decision and policy making.

Based on previous noise modeling information the affected occupiers in the community were known across suburbs in the Perth City, South Perth and Victoria Park. Noise sensitive properties (residences) receiving sound levels from events greater than the regulation assigned noise levels of approximately 40-55 dB LA10 were declared as affected. Large outdoor concerts commonly exceeded such noise levels several kilometers away from the venue.

A 95% statistical confidence level was needed in the survey to achieve a degree of reliability in the survey results. The appropriate number of respondents for the survey to meet this criteria for the relevant affected population was 400 persons. The survey also needed to be robust in terms of not diluting the opinions of those affected closer to the venue versus those living at the outer edges of the noise impact area. Previous surveys in other locations had not considered this issue and the results of surveys may have been affected.

The survey only needed to test whether a simple 50% majority of occupiers objected to the holding of more than two non-complying events in a 12 month period at the three main outdoor venues in the City. The venues were:

- 1) The Supreme Court Gardens, Esplanade and Langley Parks, which are large open reserves located on the Swan River foreshore and the most popular sites for events;
- 2) Russell Square, a medium size reserve located in the Northbridge entertainment precinct; and
- 3) Wellington Square, a large reserve on the Eastern end of the City with minimal use for events but a potential future popular site.

The community survey was conducted by a private contractor, Research Solutions Pty Ltd located in Perth and took approximately eight weeks to complete and produce a report. The advantages of using such a contractor proved to be highly valuable as they possess the relevant skills to produce a robust survey. The approximate cost of conducting such surveys can range from \$20,000-\$40,000 depending on the complexity and nature of the project.

The survey questions for affected occupiers included:

- Recalling the number of times people heard a concert in the previous year.
- Identify the type of noise heard and indicate its level of impact.
- Whether there were any concerns in relation to noise heard.
- The number of acceptable concerts in 12 month period.
- Determine preferences in terms of the type of music, how many for each type, the days of the week most suitable, acceptable concert duration, most suitable start and finish times.

Survey Results

The survey assisted greatly in confirming and fine tuning many of the assumptions normally associated with noise management conditions such as the acceptable finish time of 10.00pm. The results indicated that residents in the majority are accepting of finish times up to 11.00pm on weekdays and 11.30pm on Fridays and Saturdays, which has met the requests of event promoters to stage events later into the night. In the entertainment precinct of Northbridge this has also indicated general community support and tolerance for a noisier environment.

Quieter forms of music received less objection such as jazz, country and opera compared to rock or dance music events.

The most vocal group of people were found to be those residents living closest to a venue and aged 55 years plus.

Businesses surrounding venues were overwhelmingly supportive of events and reported financial benefits.

The general survey results were as follows:

- 86% aware that concerts occurred.

- 27% had heard music from venues.
- No one reported major disruption from concerts; however 10% indicated unacceptable noise levels.
- The highest levels of those saying they were affected by individual concerts were 11.5% for the Festival of Perth and 9% for St. Patrick's Day events.
- General noise, traffic and parking problems were the main problems expressed.
- Businesses reported a positive effect from events.
- Overall, 16 events were considered acceptable in each of the three venues.
- The level of support for preferred days and finish times were:
 - 53% supported weekdays and 9.00-11.00pm finish times;
 - 32% supported Saturday and 11.30pm – midnight;
 - 47% supported Sundays and 9.00-11.00pm; and
 - 34% supported special events after 2am
- Overall, Saturday all day/night events were acceptable and Sunday was acceptable except at night time.
- Events held generally not less than every two weeks were preferred.
- The most vocal group likely to object is those living closest to venues and aged 55+ years.
- For music type preferences, most generally wanted a mix of music rock, jazz, opera and other. More were accepting of jazz, country, opera or blues music, less for rock and dance music.
- The Russell Square Northbridge entertainment precinct venue showed the highest tolerance to the greatest number of events from 16-25 in a 12 month period.

Policy and Guidelines

A draft policy and guideline has been developed and is currently undergoing internal and external stakeholder consultation. The policy provides the overall framework for decision making, while the guidelines address the broad regulation provisions by specifying technical and other issues that have caused uncertainty and inconsistencies in approval. Examples of such issues include requiring a promoter or applicant to use an acoustic consultant to manage the event, setting of maximum sound levels, conducting community surveys, wider stakeholder consultation, content of community notification leaflets and submission of noise monitoring reports are addressed.

The policy and guidelines hope to achieve the following:

- Strike a balance between enjoyable sound levels and numbers of events that do not outweigh the overall community benefit.
- Establish a frequency of events not less than one every two weeks unless approved.

- Control the number of events, duration, music types, start and finish times and days. Finish times of 10.45pm Sunday – Thursday, Friday & Saturday 11.00pm compared to previously expected 10.00pm time and maximum six hour duration for most events.
- City may require noise management plan to be prepared and submitted and control its content.
- Obtaining wider stakeholder consultation in addition to affected local governments such as the other land holding administrations. For example, the Kings Park Botanical Gardens Authority and East Perth Redevelopment Planning Authority.
- Controlling survey content and period of validity for 3-5 years.
- Setting maximum sound levels such as 75dB(A) at residences and 102dB LAeq(60 sec) and 115dB LCeq(60sec) mixing desk level at 30m distance from the stage.
- Community notification leaflet content and timing prior to issue.

Conclusion

The results of the survey have greatly benefited decision making and approval of outdoor events, while confirming and amending some of the regulatory conditions and assumptions. It has also proven to be a democratic way of managing noise by involving the preferences of the community.

After further stakeholder consultation with relevant agencies and key businesses, the policy and guidelines will be presented to the City of Perth Elected Members for adoption. Once adopted the policy and guidelines will be reviewed based on further community surveys, stakeholder feedback and administrative assessments.

The City is also assisting the Department of Environment and Conservation to develop state wide publication for the noise management of outdoor events.

When Cracks Appear – Managing health after an Indonesian earthquake

Paul Byleveld - NSW Department of Health

An earthquake of 6.2 on the Richter scale hit Yogyakarta and Central Java Provinces of Indonesia on 27 May 2006. The Ministry of Health reported 6736 dead and 45,201 injured. An estimated 145,000 houses were destroyed and 464,000 damaged, leaving approximately 1.8 million homeless.

To counter the serious public health threat, Australian Medical Assistance Teams:

1. Helped Provincial and District Health Offices with Environmental Health and disease surveillance.
2. Improved management of medical and general waste and implemented fly and mosquito control at a Field Hospital.
3. Worked with the Provincial Health Office to help develop a rapid Water and Sanitation damage assessment survey to inform the emergency response and plan for longer-term development needs.

4. Carried out mosquito surveillance and control following cases of dengue fever and dengue haemorrhagic fever. Trained health staff and community members and donated equipment.
5. Constructed an emergency latrine in a village with no toilets remaining. Trained health staff and community members in latrine design and construction.
6. Cleaned wells in affected villages, trained health staff and community members and donated equipment.
7. Repaired and disinfected the water supply for a Community Health Centre.
8. Carried out microbiological and physical analysis of water supplies in affected villages.

Building on the experience of the Indian Ocean Tsunami, Australian teams worked closely with Indonesian health authorities and made a meaningful contribution to the relief effort.

On the Front Foot: Proactive Community Health, A Case Study.

Cruickshank, M. Moyes, S and Munro, G. 2006

The paper considered current and future Environmental Health practices within local government, demonstrating how the Hornsby Shire Council delivers efficient and effective services making a real difference to individuals, the community and local businesses. Since its inception, Environmental Health has evolved to reflect community concern and expectation. Much has been written on the history, challenges and changes facing the field of Environmental Health (CIEH, 1997) (Verrinder, Nicholson and Pickett, 2003)(Brown *et al*, 2001). Parsons (2003) placed local Environmental Health initiatives into the context of sustainability, emphasising a shift from public health reactive programs to environmentally focused proactive programs. It is time to demonstrate how programs are achieving results by focussing on people, healthy communities and sustainable environments. This paper discussed a shift towards a 'new' Environmental Health and the practical application of this approach.

The Environmental Health Program at Hornsby Shire Council aims to maintain and promote improvements in public and Environmental Health. The use of research, measurement and evaluation has resulted in a targeted Environmental Health program incorporating both public health and sustainability concepts whilst delivering successful outcomes for the community and businesses. A review three years ago of the Environmental Health Program resulted in a shift from an inconsistent inspection approach to a proactive, holistic, risk based program for food safety, skin penetration and sustainability in Environmental Health. These three programs are outlined in the context of a 'new' approach to Environmental Health and how their successful outcomes enable Environmental Health officers, Councillors, community and businesses see what lies beneath Environmental Health.

A 'new' approach to Environmental Health

Traditional approaches to Environmental Health have strongly centred on the enforcement and monitoring of legislative requirements (enhealth, 1999). A review three years ago of the Environmental Health Program at Hornsby Shire Council resulted in a shift from an inconsistent inspection approach to a proactive, holistic, risk based approach to business operations for Environmental Health. This review reflected Cruickshank's (2001) conclusion that Environmental Health practitioners need to shift from a reactive role to a proactive agent coordinating Environmental Health action.

Focusing on achieving best practice, the Environmental Health Program incorporates a proactive, holistic, risk based risk based approach across the following areas:

- Food safety
- Microbial control
- Regulation of skin penetration activities
- Burials at Council cemeteries
- Commercial public swimming pool water quality.

Food safety, skin penetration and sustainability in Environmental Health were reviewed in greater detail with a background, risk component, results of program and discussion for each area.

Safer Food Program

The continued use of risk based assessments of food businesses by council will measure the improvement of food safety within the local government area. The United Kingdom has utilised risk based assessments of food businesses for some years through the Code of Practice No. 9: Food Hygiene Inspections (Food Standards Authority, 2000). On the 1 January 2006, the European Union *General Food Regulation* applied to all member states, enforcing a risk based approach to controlling food hygiene matters. The benefits of risk assessment enable the provision of effective resources, with high risk businesses receiving more inspections than low risk businesses. The recording of non-compliances within each business enables the breakdown of compliance with the Food Standards Code.

It can be detrimental for both the business being inspected and the public when inconsistencies occur as a result of inspections being undertaken at individual businesses. Yapp and Fairman (2003) have identified that discrepancies may occur with the incorrect identification of hazards and the appraisal of their significance between different council officers. Hornsby Shire Council has overcome these difficulties with the formation of a procedure with guidance notes, regular 'buddy reviews' between Environmental Health Officers to reduce inconsistencies.

Skin Penetration Program

The main areas of concern that have been identified are: blood exposure and knowledge of the *NSW Skin Penetration Code of Best Practice and Guidelines*. It is essential that the methods used for any strategy are consistent with what has been requested by the respondents to the survey.

The results from the survey undertaken for the most part reflected those results and statistics in current literature on the area. However there are a number of discrepancies including, 50% of people surveyed who were undertaking waxing procedures have come into contact with blood where (Murtagh & Hepworth (2004) reported that 88.3% of operators had been exposed to blood during waxing. Again, acupuncture is another procedure that proved to result in a high level of blood exposure with 71% of operators reporting incidences of blood exposure due to this procedure. This is inconsistent with the findings reported by Yamashita et al (2000) in a Japanese study who found that bleeding occurred in 38% of acupuncture procedures.

By undertaking a survey of this nature, Council is able to gain insight into the knowledge and educational background of operators, which can be used as a benchmark. The survey provided Council with key areas where education is needed so training and educational material can be tailored specifically to the needs of the operators.

Sustainability for Environmental Health Program

The smaller a food business the greater the environmental risk it had regarding non-compliance with environmental legislation and standards. According to Atme (2005) this was a result of who managed the resource, with restaurants and supermarkets having greater control over water and energy mitigation measures compared to take aways and cafés who have insufficient time and lacked knowledge of what environmental initiatives could be undertaken.

Retail food businesses within Hornsby Shire had trouble identifying the benefits of being 'green'. Most do not consider sustainability in their daily operations even though they had received information regarding what was required to be undertaken. The food businesses who undertook environmental practices were often one-off actions resulting in minimal or no change. To achieve a significant change in the day to day behaviour of a typical food business, attitudes must change towards what are good business practices.

Conclusion

Hornsby Shire Council continues to strive towards an efficient and effective Environmental Health service, contributing towards an overall difference to individuals, the community and local businesses. Reviewing the Environmental Health program three years ago resulted in measured outcomes benefiting both the community and businesses. Council has reflected on the shift from a public health program which is reactive to an innovative approach incorporating environmentally focused programs that are proactive, holistic and risk based.

The programs at Hornsby Shire Council demonstrate that Environmental Health has evolved and progressed reflecting a shift towards a 'new' Environmental Health practice. The successful outcomes from these programs have further enabled Environmental Health officers, Councillors, community and businesses see what lies beneath Environmental Health.

Using the AIEH Australian Food Safety Assessment Tool Electronically - A Case Study *Fleur Cousins*

Knox City Council is located East of metropolitan Melbourne. The population stands at 150,000 people. There are 1089 food premises registered and 350-400 food stalls per annum.

Food Safety Standard of Practice

Overview

The aim of the Food Safety Standards is;

"To develop an approach for the assessment of food safety that is nationally uniform and consistent with legislative standards".

Research embraced:

- Survey of each State and Territory – status of food law reform processes
- All at different stages of implementation and requirements / processes varied
- The Standard of Practice (SoP) and AFSA needed to be flexible to take into account legislative differences

Support in principal expressed and technical comment offered.

The outcome revealed:

- A guide for practitioners
- Has no legal standing
- Addresses food safety from a National perspective
- Subject to regular review
- Freely available

Australian Food Safety Assessment (AFSA)

Nationally consistent food safety checklist covering all food handling processes

A tool available in 3 formats:

- Standard AFSA pad
- Designer AFSA pad
- eAFSA

The AIEH Food Safety Standard of Practice is a guide for practitioners which addresses food safety from a National perspective. The AIEH Australian Food Safety Assessment (AFSA) tool is a nationally consistent food safety checklist covering all food handling processes. Using eAFSA has enabled Knox City Council to enhance its approach to food safety assessments.

Integrating practice and theory in undergraduate education - Swinburne Universities Industry Based Learning Model: challenges, issues and opportunities

Louise Dunn

Environmental Health practitioner

Historically official required to implement public health legislation and the investigation of threats to human health. Generalist practitioners fulfilled a practical problem solving role, at the time no minimum education or training requirements were specified (Parkinson 1991).

Education in public and Environmental Health

Certification as Environmental Health Officer or Practitioner in developed countries requires professional accreditation, recognition of a tertiary qualification, the completion of a *work experience* component as part of the training. Practical training requirement is also reflective of the origins of the profession as a practical problem solving, vocationally oriented professional (Parkinson 1991).

Cooperative education in Environmental Health

In the UK, a *sandwich year* involving a 12 month placement or post industry experience. In Australia; completion of a *6 week work practicum* is required – formally 6 months. Keen support from industry for increased practical training of graduates and greater engagement with industry in undergraduate programs (Queensland Department Health 2004, Bussell 2000).

Communication and evaluation - issues

Formal feedback a range of evaluations, particularly around program processes with both students and employers, workshops , online survey at the end of the placements. Workshops for students/ online survey feedback. Common issues involved workplace communication, politics, work variety, assessment tasks, supervisor, mentoring, pay and conditions. Workshops with employers /online survey feedback. Common issues involved ensuring students are adequately prepared prior to placement, clarification on mentoring responsibilities, relationship of the academic program to the workplace, differing skills and ability of students and assessment practices.

Assessment practices

Involved a combination of performance based measures and a portfolio approach. The former is based on areas that employers consider important to develop competencies in, or “hard skills”, which are commonly desired by employers of science based graduates (Lasslet and Zegwaard 2004). The latter is also to enable the assessment of “soft skills”, which relate to practical application of theoretical principles and the student’s behavioural development (Hodges, Smith and Jones 2004).

Conclusion

Swinburne University of Technology has been a provider of a cooperative education in public and Environmental Health practice for over 30 years. Strong support for the program by industry appears to be enhanced by the close involvement of the academic unit in the facilitation of placements and through consideration of all key parties in each component of the cooperative education process. Challenges include fluctuation in numbers, and funding placements. Enhancing curriculum to incorporate experiential learning experience and widening learning opportunities

Indoor air quality issues in the nail beauty industry

Alan Mead, Arden (Vic) P/L

Legionella has been in the news in recent times, but not much has been heard of in the news media about building related illnesses or sick building syndrome. From time to time this raises it head and causes us to reflect on the issue. Those people affected may be in the minority, but it can be serious in those cases. Our involvement over the past twelve months with the nail varnish industry, particularly those salons situated in large shopping complexes, indicates that the methacrylate odours and dusts could be more of a problem than those contaminants in office buildings often referred to in the news media at various times.

The beauty industry and nails in particular, seems to be another industry in need of assistance for operator protection as well as the general community. In suburban shopping strips individual owner operators can decide for themselves on the health aspects, whereas in shopping complexes the community is involved by default. First impressions when entering a nail salon can be the pungent odour of the acrylic product. Second impression is that of nail dust on black clothing of the technicians.

Our work has used two air filters in series to reduce the range of particles generated, plus a deep bed carbon adsorber for the volatile organic vapours. Although detailed testing of the system has not been undertaken, current industry and laboratory standards have been applied and proven satisfactory to the users. A prototype has been in use for more than twelve months and satisfying the needs of the technician who previously had headache, eyes and nose inflammation problems. An installation of four improved capacity units at a major shopping complex in the last few months has also gained favourable comments from interested parties. The nose being a sensitive instrument is a good measure, and the smell normally experienced during acrylic application in the above mentioned installations has been negligible over those months. The down draft collection of the vapour and dusts has been excellent, and the common use of black clothing does not now show the fine white dust that was previously apparent.

Effluent of the Affluent

In 1998, local government in NSW went through a time of significant change with respect to its responsibilities and its level of care in approving the installation and operation of septic tanks. Up until that time, responsibility had been somewhat diffuse with the NSW Dept. Health having to “rubber stamp” approvals. Also, there was no requirement to approve operation. Once a septic tank or AWTS was installed, Council’s generally didn’t want to know.

When a number of people in the Wallis Lake area of NSW got very sick or died from eating oysters contaminated by septic tank effluent, the NSW Department of Local Government became quite concerned about the ongoing liability Local Government may have for all the septic tanks that had been approved in the past by Councils.

What followed were a series of guidelines, upgraded Australian Standards, a requirement to develop a register of all existing systems, to assess their level of risk and to issue approvals to operate.

The number of Councils that take quite a blasé approach to approving the installation and operation of septic tanks and other OSSMS is still amazing.

The response by Councils has been mixed ranging from those embracing a new and more responsible approach down to those who have done the absolute minimum to meet the requirements.

In unsewered areas, *what lies beneath* that veneer of happy, care free residential life is often an oozing, public health, powder keg waiting to explode. Councils need to take responsibility to inspect and approve systems professionally and to maintain the public health seriously. All is not always as it would seem.

Asbestos, Silica and Clandestine Labs

Nathan Redfern, Principal Consultant – Occupational Health & Hygiene

Nathan Aust, Senior Consultant – Toxicology & Health Risk

This paper discussed:

- Similarities and Differences between Environmental Health and Occupational Hygiene
- Case Studies
- Asbestos & Silica - Health risk assessments & toxicology
- Clandestine Labs - Managing the issues in the community
- Closing Statement from a former EHO - Commercialisation, challenges and the future

Asbestos and EH Practitioners

The nature of an asbestos event and its setting will determine which agency leads the investigation. General occurrence or emergency issues, in general if the event is primarily, public health issue, refer it to the EHO of the local municipal Council or PHU, occupational health or workplace issue, refer it to State Work Authority and a transport and disposal issue, refer it to the State EPA.

Examples of asbestos-related issues generally managed by local council include:

- potentially unsafe removal of asbestos by owners of private dwellings
- dumping of asbestos materials
- complaints about asbestos material at sites which are not workplaces
- an unexpected incident such as fire or vandalism
- community concern
- asbestos fragments in soil at public spaces
- storage of asbestos material in residential settings

Methamphetamine Laboratories

Meth is made using many different processes. All use hazardous chemical such as VOCs, acids, bases, metals and salts. Materials in buildings absorb Meth and its precursors. These include carpets, fibreboard, ceiling tiles, wood and fabric. Residual contamination of the may last for years. Residues can also enter HVAC systems.

Clandestine drug lab operators commonly dump this waste into the ground, sewers, or streams and rivers. More research is needed to understand the long-term environmental effects.

Cleaning up after the police have gone...

The owner of the property is ultimately responsible for the cleanup and ensuring persons re-entering the premises or local environment are safe. Who enforces this? How do you know if it really is safe for reoccupation?

Since this is an emerging problem, there is currently no official guidance or regulations on how to clean up a former meth lab property for reoccupation. What do other countries do?

Public health and environmental officials, rather than police fire brigade or state workplace safety authorities, will likely have to take the lead on remediation with the assistance of occupational hygienists and forensic drug laboratories.

CONSULTATION/ADVERTISING:

None required.

LEGAL AND POLICY:

Council's Policy 4.1.15 – "Conferences & Training – Attendance, Representation, Travel & Accommodation Expenses and Related Matters" – Clause 5 states;

"5.1 Following attendance at State conferences, congresses, study tours and any seminars, forums, workshops of two (2) days or more duration, the attendees shall submit a report to the Council within thirty days of their return to Perth, for the Council's information and records. The report shall include a summary of the event's proceedings, major points of interest to the Town and recommendation as to whether attendance at similar conferences is warranted.

5.2 All Conference papers are the property of the Town and are also to be place in the Town's Library so that they are accessible by the public."

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011: Strategic Objectives, 'to provide and facilitate services for a safe, healthy and sustainable community'.

The objectives of the Plan for the Future are to 'improve and maintain the natural and built environment and infrastructure, progress economic development with adequate financial resources, enhance community development and wellbeing, ensure good strategic decision-making, governance, leadership and professional management; supported by a positive and desirable workplace with technology for business improvement'.

FINANCIAL/BUDGET IMPLICATIONS:

None required.

COMMENTS:

On-going professional development and enhancement of corporate knowledge are facilitated by professional bodies such as the Australian Institute of Environmental Health. In addition, annual networking with practitioners and researchers is essential in staying abreast of emerging issues pertaining to healthy cities and environmental protection.

Attendance at this three day conference was very informative and beneficial, and relevant to the provision of Health Services to the Town of Vincent.

10.1.12 Contaminated Sites Act 2003

Ward:	Both Wards	Date:	12 December 2006
Precinct:	All Precincts	File Ref:	ENS0041
Attachments:	-		
Reporting Officer(s):	K Batina		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	John Giorgi

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES this report relating to the Contaminated Sites Act 2003, and the correspondence dated 16 November 2006 and accompanying documentation from the Western Australian Local Government Association relating to the Contaminated Sites Act 2003; and*
- (ii) *AUTHORISES the Chief Executive Officer to identify \$17,000 in the next 2006/2007 Budget Review process to undertake tasks and documentation associated with a survey of Contaminated Sites within the Town, and subsequent compilation and submission to the Department of Environment and Conservation by May 2007.*

COUNCIL DECISION ITEM 10.1.12

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an update and overview in relation to the recently promulgated Contaminated Sites Act 2003. In addition, this report will provide an outline how the Town is affected by this new legislation and its obligations.

BACKGROUND:

The Town received correspondence from the Western Australian Local Government Association (WALGA) on 16 November 2006, advising the Town of Vincent of the Contaminated Sites legislation which was to come into force on 1 December 2006. The purpose of the correspondence was to make all Local Governments aware of the financial and administrative implications of the Act. The letter stated:

'Local Governments must report all sites they know or have reason to suspect may be contaminated if it is land they own, is vested in Council or may have contributed to the pollution of, by 1st May 2007. Alternatively, an approved programme for reporting sites must be lodged with the Department of Environment and Conservation (DEC) by this date.

Local Governments will also have a legal responsibility to ensure future developments are not impacted on from a contamination resulting from a previous land use. Potential contamination will therefore need to be considered by planners in scheme reviews and zoning considerations.

Finally the Act creates a hierarchy of responsibility to ensure future developments are not impacted on from a contamination resulting from a previous land use. However, a Local Government could be liable for sites it owns or sites vested in Council if the person who caused the contamination can not be located. Local Governments are therefore advised to consider incorporating the cost of an end-of-lease contaminated site survey into all lease agreements.'

Additional sources of information relating to the Contaminated Sites Act 2003 were also cited in the letter, for further information.

DETAILS:

The *Contaminated Sites Act 2003* was passed by Parliament in November 2003, proclaimed in August 2006 and it came into effect on 1 December 2006. It is intended to complement, not duplicate, other legislation.

The Act provides a statutory framework for the reporting, investigation and remediation of contaminated sites throughout Western Australia. Its intent is to protect human health, the environment and environmental values, through providing for the identification, recording, management and remediation of contaminated sites in the State.

The Act brings with it some important obligations, that will have an impact on Local Government and the manner in which contaminated sites, known and unknown are dealt with from now on. One of the most significant impacts is the introduction of a public database and the maintenance of other, more detailed, publicly accessible records. Records of the report, investigation and classification of a site may be retained indefinitely and viewed by members of the general public. The database will allow searches for known contaminated sites using search fields such as Street Name, Suburb/Town, Local Government Authority, Title, and Crown Land Reserve Number.

Definition

The *Contaminated Sites Act 2003* defines a 'contaminated site' as:

"in relation to land, water or a site, having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value."

Where past or present land use activities involve, or have involved, the storage, handling or disposal of chemicals, there is an increased risk of contamination. Examples of potentially contaminating activities include service stations, landfills, power stations, gasworks, and market gardens. Contamination is usually caused by spills or leaks, such as from fuel or chemical storage tanks, or poor management practices at industrial sites.

Reporting of Contaminated Sites

In order to gather information on the location of contaminated sites, the Act introduces mandatory reporting of known or suspected contaminated sites by the following people:

- An owner or occupier;
- A person who caused, or contributed to, the contamination; and
- A contaminated sites auditor engaged to report on the site in accordance with the Act.

Where a site is known to be contaminated, it must be reported within 21 days of the day the person(s) first knew of the contamination. Where a site is suspected to be contaminated it too must be reported as soon as practicable. If these people fail to report sites they know or suspect to be contaminated, they will risk a fine of up to \$250,000. The maximum penalty for companies is \$1.25 million.

There will however, be a six month transition period, whereby person(s) failing to report within the specified 21 day period, will not be subject to the monetary penalties stipulated above.

Other people may also voluntarily report sites which they know or suspect to be contaminated, but will not face penalties if they do not do so. Anyone who reports a site maliciously, and without reasonable grounds to suspect that it is contaminated, risks a fine of up to \$250,000.

Classification of Sites

The Department of Environment and Conservation (DEC) will classify sites reported to it, based on the risk the sites pose to human health and the environment.

The Act introduces seven classifications:

- Report not substantiated
- Possibly contaminated - investigation required
- Not contaminated – unrestricted use
- Contaminated – restricted use*
- Contaminated – remediation required*
- Remediated for restricted use*
- Decontaminated

The Contaminated Sites Database, located at www.dec.wa.gov.au/contaminatedsites, will include information on sites classified as ‘contaminated – remediation required’, ‘contaminated – restricted use’ and ‘remediated for restricted use’. Access to this database is available free of charge. DEC will keep records of sites in the four remaining classifications, ‘report not substantiated’, ‘possibly contaminated – investigation required’, ‘decontaminated’ and ‘not contaminated – unrestricted use’. Information (in the form of a ‘summary of records’) associated with these classifications can only be accessed by submitting a written request to DEC and paying the prescribed fee.

Memorials will be registered on the titles of sites classified ‘contaminated’, ‘restricted use’ (marked *) or ‘possibly contaminated – investigation required’.

The owners of sites classified as ‘contaminated’ or ‘restricted use’ (marked*) will be obliged to disclose information on the contamination to anyone intending to purchase, lease or take a mortgage on the site, before the transaction is finalised.

Responsibility for Remediation

Only sites classified as ‘contaminated – remediation required’ have to be cleaned up. The Act establishes a hierarchy for assigning responsibility of remediation, and allows for the transfer of that responsibility.

The DEC’s Contaminated Sites Committee can determine who is responsible for the clean up of a site in cases where there is a dispute.

Certificates of Contamination Audit

Unlike other States, the Western Australian State Government will provide final ‘sign-off’ or certification of the contamination status of sites and the types of land use that they are suitable for. Certificates of Contamination Audit will provide certainty when land is sold or transferred, and can also be used to confirm that clean up has been successful.

If DEC overlooks contamination when issuing a Certificate of Contamination Audit, the State Government will be liable for any clean up that is necessary as a result of that error.

Protection for 'Innocent' Land Owners

The Act provides some protection for 'innocent' landowners – people who purchased contaminated land before the legislation became effective and who did not know, or suspect, that it was contaminated when the land was purchased. When the legislation commences, land owners who believe they are 'innocent' will have two years to submit a Disclosure Statement, providing details of the contamination. If, after considering this information, the Contaminated Sites Committee agrees that the land owner is 'innocent', the owner will be issued with an Exemption Certificate, and will not be responsible for any clean up that may be required.

Appeals

The Contaminated Sites Committee is a statutory committee comprised environmental and legal experts, tasked with determining who is responsible for remediating sites and deciding appeal outcomes. When the Committee determines appeals against decisions made by the Chief Executive Officer of DEC (on classifications and regulatory notices), its decision is final.

Decisions on responsibility for remediation and Exemption Certificates made by the Committee are appealable to the Supreme Court on points of law only.

Other provisions include:

- New powers for DEC to issue Regulatory Notices requiring investigation or clean up of a site, where appropriate action is not being taken voluntarily.
- Accreditation of Contaminated Sites Auditors (similar to the system used in Victoria and New South Wales).
- Protection for informants and penalties for providing false or misleading information.

Implications of the Act on the Town of Vincent

The full impact of this new legislation on Local Governments is yet to be determined, particularly where a Local Government is deemed to be the owner of a contaminated site. The most notable implication of the Act that can be seen is in regard to the definition assigned to and the responsibilities of those entities defined as an 'owner' of a parcel or area of land, under section 5 (1) of the Act, as explained below.

Definition of "Owner"

The term "owner" is defined and extends to include the management body responsible for care, control and management of Crown land. What this means is that Local Governments may be liable as the "owner" of contaminated Crown land over which it exercise care, control and management.

As stated in legal advice received from McLeods Solicitors, 'whilst it may be unusual for Crown land to have previously been utilised for industrial-related purposes, given the significant penalties imposed by the Act for any breach of the reporting obligation, local governments should consider a review of records associated with Crown land under their care, control and management to ensure that any known or contaminated sites are reported in accordance with the Act. This would apply to any known or suspected official or unofficial waste disposal site or landfill sites. Roads through present or past industrial areas may also require consideration in this context.'

As such, it would be prudent for the Town to revisit all past uses within the Town, including those past land uses when the Town formed part of the City of Perth.

Contaminated Sites within the Town of Vincent

Presently, the Town does not have a formal register which records where the possible contaminated sites may be located within the Town of Vincent, with the exception of a map that was produced some years ago, which showed the Smith's Lake area, where the Town's former Depot was located, and an area along Joel Terrace in Mount Lawley. It is likely that there are still a number of other sites within the Town that are yet to be formally identified.

CONSULTATION/ADVERTISING:

Not required.

LEGAL/POLICY:

Town of Vincent Town Planning Scheme No. 1 and associated Policies; and Contaminated Sites Act 2003

STRATEGIC IMPLICATIONS:

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

- 1.1.4 Minimise negative impacts on the community and environment.
- 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.

FINANCIAL/BUDGET IMPLICATIONS:

Budget Re-allocation

The following Table outlines the range of tasks required to progress the compilation of a Contaminated Sites Register and database, in accordance with the requirements stipulated by the *Contaminated Sites Act 2003*. Essentially, the tasks outlined below will require the temporary employment of a dedicated Sustainability Project Officer/Contaminated Sites Auditor given inadequate in-house resources to undertake this task within the specified timeframe required by the Act.

Indicative Task	Indicative Required Action	Estimated Cost
Preliminary Site Investigation	Desktop Preliminary Site Investigation for internal review including retrieval of any archival records from the City of Perth; and Site assessment of all suspected contaminated sites.	Project Officer (PO) 2006/2007: part-time (\$30 per hour gross) 3 days per week (22.8 hours) February to May 2007 (15 weeks) - \$10,260 \$10,260
Preparation of Programme to undertake collation and compilation of the Town of Vincent's Contaminated Sites Register	Review information compiled through Desktop Preliminary Site Investigation; and Develop a programme outlining how the compilation of the contaminated sites will be undertaken, to submit to Department of Environment and Conservation by May 2007.	PO (as above)
Liaise with Senior Staff at the Town, including Executive Managers	Liaise with the Town's Executive Managers and Managers, report the Programme to Council.	PO (as above)
Undertaking and compiling of Contaminated Sites Survey and mapping	Undertake on-site survey of all identified contaminated sites within the Town of Vincent; and Map contaminated sites in Geographical Information Systems format for reference.	PO (as above) GIS mapping at \$120 per hour for approximately 3 days - \$2,736 \$2,736

Indicative Task	Indicative Required Action	Estimated Cost
Develop Procedures and Practices Manual regarding registering of Contaminated Sites within the Town	Research and implement provisions of the Contaminated Sites Act 2003, outlining the obligations and responsibilities associated with contaminated sites or the suspected contamination of sites; and Develop process of identifying and including contaminated sites as part of the Development Assessment Process;	PO (as above)
Community Education	Develop and undertake a community education programme, outlining what constitutes as contaminated sites, and what requirements are needed to be fulfilled; Widespread promotion (newspapers, mail out, posters); and Co-ordinate printing of documents to distribute during course of community education phase.	PO (as above) Graphic design at \$90 per hour (approx. \$3,000 for preparation of brochures and community education promotional material) Newspaper advertisement costs (2 x \$480 each) - \$960. \$3,960
Facilitate the adoption of Contaminated Sites Register by Council and submit to the Department of Environment and Conservation	Prepare relevant Council reports to facilitate the progression and adoption of the compiled Contaminated Sites Register for the Town of Vincent; and Prepare relevant documentation for the submission of the Contaminated Sites Register and database to the Department of Environment and Conservation by May 2007.	PO (as above)
		Total Funds Required \$16,956, say \$17,000

It should be noted, that the Contaminated Sites Register will need to be continually monitored and updated as needed, following the submission of the compiled database to the Department of Environment and Conservation. Consideration will need to be given to how this is going to be managed.

COMMENTS:

The immediate implication of the Act to the Town of Vincent relates to the requirement for a database of all existing and known contaminated sites to be prepared and submitted to the Department of Environment and Conservation (DEC) by May 2007. Alternatively, as explained above, in lieu of a register not being available by this time, that the Town is able to provide the DEC with a programme indicating the timeframes and anticipated date of completion of the collating and preparing a register for submission to the DEC.

The Town of Vincent, does not presently have such a register or any such information formally recorded. To prepare and collate such a register, the following steps will need to be undertaken:

Desktop study and research to determine all past land uses within the Town, including revisiting the City of Perth archival records and past approvals and land uses within the Town, including an historical survey;

Conduct an 'on-foot' survey of the Town's identified contaminated sites;

Collate information into a Contaminated Sites Register, which will detail the specific history relating to each listed property;

Map contaminated sites within the Town of Vincent in a Geographic Information System format, enabling quick reference for applicants and the Town's administration staff and the general public;

Prepare relevant documentation (such as Policies and Information brochures) relying on DEC and the Act provisions, outlining the obligations of owners and the general public in reporting possible contaminated sites, remediation responsibilities and the appeals process as outlined in the Act and on the DEC website; and

Undertake a community education process to educate the community regarding contaminated sites.

To undertake the abovementioned tasks, an additional resource will be required to complete this task. Given that the Town will be effectively commencing at the beginning in gathering this information relating to contaminated sites within the Town, the time constraints imposed as part of the legislative process, and the lack of available resources already, the need of an additional resource (temporary Project Officer) to undertake this work, is justified.

In light of the above, it is recommended that the Council receives this report and considers the Officer Recommendation.

CEO's Comment:

The CEO amended this report by reviewing and reducing the costs and resources required to carry out the task.

10.1.13 Municipal Heritage Inventory Review - Outstanding Places Requiring Action - Progress Report - December 2006

Ward:	Both Wards	Date:	13 December 2006
Precinct:	All Precincts	File Ref:	PLA0098
Attachments:	-		
Reporting Officer(s):	H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES this Progress Report relating to the Town of Municipal Heritage Inventory Review - Outstanding Places Requiring Action as at 13 December 2006; and*
- (ii) *NOTES that further Progress Reports will be submitted on a monthly basis to the Council.*

COUNCIL DECISION ITEM 10.1.13

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with a status list of outstanding places identified in the draft Municipal Heritage Inventory which require further action and consideration of Council.

BACKGROUND:

Various resolutions of Council at the Ordinary Meetings held on 12 September 2006, 7 November 2006, 21 November 2006 and 5 December 2006 have resulted in a number of properties being deferred for additional information. This report details these items.

DETAILS:

A status report is submitted to the Council on a monthly basis until the outstanding places have been considered and determined by the Council.

The following places have been deferred by the Council for further information and/or a full Heritage Assessment and are subject to further investigation and action before Council will consider their possible inclusion on the Municipal Heritage Inventory.

No.	Place Address	Description	Comment/Status
<i>Places Identified as Possible Category A ('Conservation Essential'):</i>			
1	No.98 (Lot 6) Angove Street, North Perth	House	Report prepared for OMC 19/12/06.
2	Nos.1,3,5,7,9,11,13,15 &17 (Lots 2,25,24,23,22,21,20,19,18) Baker Avenue, Perth	10 Houses	Deferred at OMC 7/11/06 for full assessment. Two on-site meetings held, assessments being drafted.

No.	Place Address	Description	Comment/Status
3	No. 629 (Lot 100) Newcastle Street, Leederville	Water Corp Headquarters	Deferred at OMC 12/09/06 for further report. Meetings and written and verbal correspondence undertaken. Outcome pending the completion of Master Plan of site. Owner advised in writing.
4	No.106 (Lot Y 54) Palmerston Street, Perth	House	Report prepared for OMC 19/12/06.
5	No.21 (Lot 22) Vincent Street, Mount Lawley	Dental Rooms former tram substation	Requires Report back to Council in February as per OMC resolution of 7/11/06. Seeking owner's comments by 31/1/07. Heritage Assessment completed and forwarded to owners for comment.
Places Identified as Possible Category B ('Conservation Recommended'):			
6	Nos. 30 - 44 (Lots 1 & 2) Angove Street, North Perth	Shops	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
7	Nos. 56 - 58 (Lot 33) Angove Street, North Perth	Shops	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
8	No.294 (Lot 1) and No. 296 (Lot 2) Bulwer Street, Perth	House	Deferred at OMC 5/12//2006 for full assessment. Semi-detached pair of which an objection was only received for No. 296 Bulwer Street. Owners advised and site meeting requested.
9	No. 105 (Lot 1) Brisbane Street, Perth	House	Telephone conversation with new owner. Assessment required (revision of previous assessment undertaken in 2001). Part of Group.
10	Nos. 124 - 126 (Lot Y1) Brisbane Street, Perth	Semi-detached	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
11	Nos. 215 - 299 (Lot 1) Bulwer Street, Perth	'Plaza' Shops	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Archival research commenced. Owner advised and site meeting requested.
12	No. 76 (Lot 116) Buxton Street, Mount Hawthorn (Part of Group) & No. 78 (Lot 117) Buxton Street, Mount Hawthorn (Part of Group)	Semi-detached	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing. Site meeting undertaken 25/08/06 with Heritage and Planning Officers. Further discussion required with owner.
13	No. 220 (Lot 35) Charles Street, North Perth	House	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Meeting held with owner, concerns regarding road widening. Complete Heritage Assessment.
14	No. 4 (Lot 2) Coogee Street, Mount Hawthorn	Weatherboard	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
15	Nos. 17 - 19 (Lots 20 & 21) Cowle Street, West Perth	Terraces	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.

No.	Place Address	Description	Comment/Status
16	No. 5 (Lot Y6) Cowle Street, West Perth (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
17	No. 13 (Lot 43) Daphne Street, North Perth	Weatherboard	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
18	No. 57 (Lots 14, 15 & 16) Fairfield Street, Mount Hawthorn	House	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
19	No. 73 (Lots 25, 26 & Y27) Fairfield Street, Mount Hawthorn	House	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
20	No. 459 (Lot 8) Fitzgerald Street, North Perth	Rosemount Hotel	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested. Archival research commenced.
21	No. 53 (Lot 26) Florence Street, West Perth	House	Various meetings with owner during consultation period. Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested via telephone conversation 13/12/06.
22	No. 3 (Lot 10) Gallop Street, West Perth	House	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
23	No.107 (Lot 18) Glendower Street, Perth (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Council identified as a priority. Owner advised in writing and site meeting requested.
24	Nos. 53 - 61 (Lot 48) Grosvenor Road, Mount Lawley (Part of Group)	Shop/house	Deferred at OMC 5/12/06 for full assessment. Owner to be advised in writing. Site meeting with owner and second meeting with owner to discuss redevelopment options undertaken on 1/12/06. Heritage Assessment required.
25	No.35-37 (Lots 1 and 2) Hutt Street, Mount Lawley	House	Excluded from adoption list at OMC 12/09/06 for further report.
26	No. 28 (Lot 22) Hutt Street, Mount Lawley (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
27	No. 137 (Lots 317 & 318) Joel Terrace, Mount Lawley	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
28	No. 131 (Lot 51) Lake Street, Perth	Semi	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
29	No. 25A (Lot 2) Leake Street, North Perth	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
30	No. 183 (Lot 66) Loftus Street, Leederville	Weatherboard	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.

No.	Place Address	Description	Comment/Status
31	No. 357 (Lot 3) Lord Street, Highgate	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
32	No. 42 (Lot 24) Lynton Street, Mount Hawthorn	Weatherboard	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested. Consultant heritage report submitted by the owner.
33	No. 1 (Lot 1) Monmouth Street, Mount Lawley (Part of Group) (also known as No. 12 Forrest Street)	Shop/house	Meeting with owner during consultation period. Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
34	No. 482 (Lot 114) Newcastle Street, West Perth (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested. Identified by Council at OMC 5/12/06 as a priority.
35	No. 486 (Lot 1) Newcastle Street, West Perth (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested. Identified by Council at OMC 5/12/06 as a priority.
36	No. 490 (Lots 2 & 3) Newcastle Street, West Perth (Part of Group)	House	Site inspection and internal photographs completed. Deferred at OMC 5/12/06 for full assessment. Owner advised in writing. Identified by Council at OMC 5/12/06 as a priority.
37	No. 336 (Lot 6 & 8) Oxford Street, Leederville	Aranmore 'Foley' House	Site inspection and internal photographs completed. Deferred at OMC 5/12/06 for full assessment. Owner advised in writing.
38	No. 109 (Lot 9) Palmerston Street, Perth	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
39	Nos. 165 (Lot 1) and 163 (Lot 2) Palmerston Street, Perth (Part of Group)	Semi-detached	Meeting held with owner during consultation period. Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
40	No. 99 (Lot 2) Palmerston Street, Perth	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
41	Nos. 146 (Lot 292), 150 (Lot 290), 154 (Lots 288 & 289) and 156 (Lot 287) Raglan Road, North Perth;	House	Meeting with owners of No. 154 and various correspondences during consultation period. Deferred at OMC 5/12/06 for full assessment. Owners advised in writing and site meeting requested. Objection only received for No. 154 Raglan Road.
42	Nos. 47 - 49 (Lot 2) Robinson Avenue, Perth (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
43	No. 62 (Lot 1) Robinson Avenue, Perth	Printers	Site meeting completed. Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and awaiting owner's response to Officer's completed draft Heritage Assessment.

No.	Place Address	Description	Comment/Status
44	No.240 (Lot 136) Stirling Street, Perth (Part of Group) & No. 234 (Lot 302) Stirling Street, Perth	Former Houses Tudor Lane and Storage facility	Officers have identified this as a priority as a result of discussions with owner. Liaison with Greg Rowe & Associates planning consultants. Site meeting with owner scheduled for 19/12/06.
45	Nos. 10 - 12 (Lot 1) View Street, North Perth	crn House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
46	No. 100 (Lots 134 & 133) Vincent Street, Mount Lawley (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested.
47	Nos. 102A (Lot 132) & 102B (Lot 131) Vincent Street, Mount Lawley (Part of Group)	House	Deferred at OMC 5/12/06 for full assessment. Owner advised in writing and site meeting requested. Identified by Council at OMC 5/12/06 as a priority.
The following places identified as possible Category B did not received clear objections from the owner but requires additional information ('Group 3' resolution of OMC 21/11/06) :			
48	No.11 (Lot 54) Alfonso Street,	House	Requires discussion/clarification with the owner as per OMC 21/11/06. Meeting held with the owner regarding redevelopment/bonus options.
49	No.5 (Lot 40) Byron Street, Leederville	House	General discussions with owner. Requires discussion/clarification with the owner as per OMC 21/11/06.
50	No.130 (Lot 39 and 40) Chelmsford Road, North Perth	House	General discussions with owner. Requires discussion/clarification with the owner as per OMC 21/11/06.
51	Nos.167-169 (Lot 105) Fitzgerald Street, West Perth	crn Shop	Requires discussion/clarification with the owner as per OMC 21/11/06.
52	No.69 (Lot 10 and 21)Harold Street, Mount Lawley	House	Site meeting completed with owner. Discussion of use of spare land on one side of the dwelling. Requires discussion/clarification with the owner as per OMC 21/11/06.
53	No.18 (Lot 5) Harwood Place, West Perth	Attached House	Requires discussion/clarification with the owner as per OMC 21/11/06.
54	No.25-27 (Lot 65) Hutt Street, Mount Lawley	House	New owners (since consultation commenced). General discussions with owners. Requires discussion/clarification with the owner as per OMC 21/11/06.
55	Nos.189-191 (Lot 1 and 2) Lake Street, Perth	Semi-detached	Requires discussion/clarification with owners.
56	No.380-388 (Lot 1,2,3,4,5) Newcastle Street, West Perth	Purtells Commercial	Multiple owners, various discussions. Requires discussion/clarification with the owner as per OMC 21/11/06.
57	No.536 (Lot 1) William Street, Perth	House	Two meetings with owner regarding redevelopment options. Requires discussion/clarification with the owner as per OMC 21/11/06.

CONSULTATION/ADVERTISING:

None required at this stage.

LEGAL/POLICY:

Under the Heritage of Western Australia Act 1990, there is a legal requirement for the Town to review and update its Municipal Heritage Inventory.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

FINANCIAL/BUDGET IMPLICATIONS:

The current 2006/2007 Budget lists \$54,800 for the Municipal Heritage Inventory Review of which \$14,826 remain.

COMMENTS

In light of the above, it is recommended that the Council receives this progress report and notes that further progress reports will be presented in the Information Bulletin on a monthly basis.

10.2.2 Proposed Streetscape, Pedestrian Safety & Traffic Management Enhancement Project Scarborough Beach Road, Mt Hawthorn – Killarney Street to Federation Street

Ward:	North	Date:	13 December 2006
Precinct:	Mount Hawthorn P1	File Ref:	TES0077 & TES0376
Attachments:	001		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicker	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the proposed Scarborough Beach Road Streetscape, Pedestrian Safety and Traffic Management Enhancement Project concept plan as shown on attached Plan No. 2410-CP-1;*
- (ii) *APPROVES IN PRINCIPLE the proposed Scarborough Beach Road Streetscape, Pedestrian Safety and Traffic Management Enhancement Project concept plan as shown on attached Plan No. 2410-CP-1 and submits the proposal to Main Roads WA, the Department for Planning and Infrastructure's Bikewest unit and Transperth for comment;*
- (iii) *CARRIES FORWARD the project's remaining budget allocation of \$22,000 to the 2007/08 financial year;*
- (iv) *LISTS for consideration a further budget allocation of \$113,000 in the 2007/08 financial year;*
- (v) *CONSULTS with the community (commencing in the latter part of January 2007) regarding the proposal, providing them with 21 days in which to provide their comments; and*
- (vi) *RECEIVES a further report/s on the proposal as outlined in clauses (ii) and (v) once stakeholder feedback has been received.*

COUNCIL DECISION ITEM 10.2.2

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of a proposal to upgrade Scarborough Beach Road, Mt Hawthorn, between Killarney and Federation Streets, to enhance pedestrian safety, improve traffic management with the aim of lowering the speed limit to 50 kph and to enhance the streetscape.

BACKGROUND:

At its Ordinary Meeting held on 12 September 2006, the Council received a further report on the proposed streetscape improvements to be undertaken in Scarborough Beach Road through the Mt Hawthorn Centre Precinct (Fairfield Street to Dover Street).

The report also made reference to a possible upgrade of the aforementioned section between Killarney and Federation Streets. The report sought to separate the upgrade proposal into two individual projects for the following reasons:

- It was originally intended to incorporate the above Mt Hawthorn Centre Precinct Upgrade proposal and the concept to reduce Scarborough Beach Road to two (2) lanes of traffic between Killarney Street and Federation Street, into a single report. However, while the two projects are geographically in close proximity, the issues involved are significantly different.
- One is focusing on enhancing the streetscape through a commercial precinct, while the other involves traffic management and road safety improvements on the periphery of the precinct.

Therefore, it was considered that rather than present an unwieldy report that may not satisfactorily address all the issues involved (for either proposal), it would be preferable to submit a separate report specific to the 'two lane' proposal. Further, the large volume of information required for Community Consultation, if it were undertaken as a single consultation, would be onerous and confusing as the projects will have differing impacts upon the community.

Council endorsed the Officers' Recommendation, in respect of splitting the project into two, resulting in the following decision (in part):

- (vii) *NOTES that a separate report on the improvement proposal for Scarborough Beach Road, between Killarney and Federation Streets, will be presented to Council outlining the financial implications;*

DETAILS:

Scarborough Beach Road is classified as a District Distributor 'A' Road in accordance with the Metropolitan functional road hierarchy. It has a posted speed limit of 60 kph between Main and Killarney Streets, dropping to 50 kph through the Mt Hawthorn Centre Precinct to Oxford Street, from where it reverts to 60 kph at Charles Street.

Through the Mt Hawthorn Centre Precinct, Scarborough Beach Road operates as a two-lane road as a consequence of the embayed parking lane. In the aforementioned 60 kph zones, either side of the centre precinct, on-road parking is generally permitted, however, a majority of residents do not utilise it.

The volume of traffic using Scarborough Beach Road in March 2004, for the section Dover Street to Kalgoorlie Street, was 13,184 vehicles per average weekday.

In mid 2004 the Town reduced Scarborough Beach Road, between Dover Street and Kalgoorlie Street (adjacent Braithwaite Park), to a two (2) lane road divided by 2.5m wide median strip enabling the planting of a series of six (6) Eucalyptus Maculata (Spotted Gums). Further, a number of low profile speed humps, to match those in the Mt Hawthorn Centre Precinct, were installed to reduce traffic speed in the vicinity of the Mt Hawthorn Primary Schools. The success of the treatment in turn lead to Main Roads WA agreeing to extend the 50 kph speed zone to beyond Killarney Street as well as installing a 40 kph School Zone.

The changes continue to receive favourable public comments, particularly in respect of the growth of the trees and the slowing of traffic leading into and out of the Mt Hawthorn Centre Precinct.

It also demonstrated that there was a negligible impact upon the operating efficiency of Scarborough Beach Road as result of the changes.

When the Town initially considered further changes in Scarborough Beach Road for the section Killarney Street to Federation Street, a 'first draft' was forwarded to Main Roads WA for comment.

Main Roads Acting Manager Traffic Services–Central in-turn provided a detailed response, highlighting the need to maintain consistency and legibility as the priority and suggested that the Town continue the same theme as installed between Dover and Kalgoorlie Streets.

Concept Plan

The resultant concept plan No. 2410-CP-1 is both simple in its approach and cost effective. Further, if implemented, Main Roads will review the posted speed limit having given an in principal agreement to extend the 50 kph to Federation Street.

In respect of the streetscape, the intention is to plant an additional thirteen (13) Eucalyptus Maculata (Spotted Gums) in the median strip to complement the existing trees adjacent to Braithwaite Park, to create an Avenue effect.

Pedestrian safety will be enhanced by the provision of seven (7) dedicated crossing points within raised median islands, effectively reducing the road crossing to a single lane either direction and the carriageway width by 2.5m.

The street lighting has previously been upgrade (the length of Scarborough Beach Road) to a *District Distributor A Road* standard as part of the Town's, now completed, District Distributor Street Lighting Upgrade Program.

While Scarborough Beach Road is not a designed cycle route, Main Roads suggested that the additional / surplus pavement width would be best utilised as a cycle lane. It has the added benefit of removing the ambiguity that is created by a wide lane, in this instance 5.1m, so that motorists do not misread the road as being wide enough to pass other vehicles.

In respect of the bus stops, and as is the case for the recently modified bus stop outside the MEZZ, vehicles will be required to wait while passengers are alighting and disembarking which in itself will have a positive traffic calming effect.

Estimated Cost

Because the plan largely utilises the existing pavement, there is limited excavation required other than installing the tree wells, however, the extent of works is still extensive and involves the following elements:

- ~ 700m of kerbing
- ~ 885m² of infill brick paving, islands and footpaths
- drainage modifications
- kerb ramps & grab rails
- 13 trees (with ~20m³ excavation)
- 52 protective bollards

- ~ 1650m of line-marking and associated signage
- traffic control
- design, survey and supervision.

The estimated cost to complete the project, as outlined on drawing 2410-CP-1, is \$135,000.

This project originally had a budget allocation of \$175,000*, however, as a consequence of Council's decision at its Ordinary Meeting of 12 September 2006, \$153,000 was reallocated to Mt Hawthorn Centre Precinct Streetscape Upgrade Project.

* The original concept, upon which the \$175,000 budget allocation was based, involved extensive road works, the level of which has been significantly reduced in the current plan. Further, at this time the scope of works excludes any resurfacing works. However, there may be an opportunity in the future to utilise Metropolitan Regional Road Program funds to resurface the road incorporating a 'red' asphalt bike lane.

CONSULTATION/ADVERTISING:

It is recommended that the proposals be advertised for 21 days in accordance with the Town's consultation policy.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The project originally had a budget allocation of \$175,000, of which \$153,000 was reallocated, as approved by an absolute majority, to the Mt Hawthorn Centre Precinct Streetscape Upgrade Project. Therefore, some \$22,000 remains on the current budget.

Given that the estimated cost to complete the project is \$135,000, it is recommended that the \$22,000 be carried forward to 2007/08 and that a further \$113,000 be listed for consideration in the 2007/08 'draft' budget.

COMMENTS:

The character of the Scarborough Beach Road streetscape is constantly evolving as can be seen by the redevelopment of the Mt Hawthorn Plaza, as well as several large developments currently under construction. The proposed Scarborough Beach Road concept plans, for both the previously approved section through the Mt Hawthorn Centre Precinct and Killarney Street to Federation Street portion are intended to complement and enhance the community's existing and future needs and expectations

10.2.5 London Plane Trees - Birdwood Square / Port Jackson Fig - Hyde Park

Ward:	South	Date:	12 December 2006
Precinct:	Hyde Park P12	File Ref:	RES0022/RES0042
Attachments:	001		
Reporting Officer(s):	K Godfrey		
Checked/Endorsed by:	J van den Bok R Lotznicker	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the progress report regarding the condition of the London Plane Trees in Birdwood Square and the Port Jackson Fig in Hyde Park;*
- (ii) *NOTES the recommendations of the arboriculturalist, as laid on the table, and summarised in the report with regards the most suitable outcomes for the subject trees;*
- (iii) *APPROVES the;*
 - (a) *removal of the three (3) London Plane trees from Birdwood Square numbered 1, 7 and 8 as shown on appendix 10.2.4 and the pruning of the remaining trees as recommended in the report;*
 - (b) *replanting of London Plane trees in Birdwood Square where trees numbered 1, 7 and 8 are proposed to be removed; and*
- (iv) *RECEIVES a further report on the continued treatment/effectiveness of the Trichoderma spraying, mulching and fertilising program in spring of 2007.*

COUNCIL DECISION ITEM 10.2.5

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to update the Council regarding the current health / condition of the London Plane trees within Birdwood Square and the Port Jackson Fig in Hyde Park.

BACKGROUND:

The Council considered a report on the health of the London Plane trees within Birdwood Square and the Port Jackson Fig in Hyde Park at the its Meeting held on 25 May 2004 where it was decided:

“That the Council;

- (i) RECIEVES the reports (as laid on the table) prepared by Arboricultural Consultant Jonathon Epps, in relation to the treatments being applied to the London Plane trees at Birdwood Square and the Port Jackson Fig at Hyde Park; and*
- (ii) APPROVES the retention of all London Plane trees at Birdwood Square and the continued monitoring / treatment of the trees as originally specified by Arboricultural Consultant, Charles Aldous - Ball. (Refer attached plans) and*
- (iii) RECIEVES further progress reports on this matter as more information becomes available.”*

DETAILS:

Some of the London Plane trees in Birdwood Square have not responded to the prescribed treatment for Armillariella pathogen (Honey fungus) and have now been recommended for removal. The Port Jackson Fig tree in Hyde Park has also been slow to recover from the initial Fig Pysillid (insect) infestation and subsequent damage caused by this insect.

London Plane Trees - Birdwood Square.

The initial report regarding the London Plane Trees located within Birdwood Square was undertaken in December 2000 in response to their decline in the health and vigour. At the time the aboricultural report identified the presence of Armillariella mella (Honey fungus).

The recommended treatment with a product named Trichoshield was undertaken in 2000 2001, 2002, 2003, 2004 and again in December 2006. The treatment works by feeding on the destructive threads of the Armillariella mella (honey fungus), by reducing the damaging effect that the fungus has on the trees health.

Recovery can be very slow and visible signs within the tree canopies can take as long as two (2) to five (5) years.

Aboricultural Report –January 2005

Parks Services Officers requested a progress report from arboricultural consultant Charles Aldous Ball in January 2005 regarding the recovery of the London Plane trees in Birdwood Square and the Port Jackson Fig located within Hyde Park.

This report identified that the row of trees on the eastern frontage of Birdwood Square were still in decline, with some trees displaying sparse leaf coverage. The decline over time resulted in the appearance of a number of dead limbs/branches within the upper canopies of these trees.

It was also noted that a number of the trees were displaying positive signs in their recovery. This was evident in the flush of new foliar growth near the tree limbs that were in decline. As indicated previously, the trees recovery is very slow to respond to such a fungal attack and the recommended treatment. The report also advised against the removal of any of the dead wood from their canopies as this would deplete their stored energy levels thus hindering their recovery.

Aboricultural Report –July 2006

A further detailed inspection of all nineteen (19) London Plane trees was undertaken in July 2006 by Arboricultural Consultant Charles Aldous-Ball to ascertain their health and structural integrity. As this report was not received until September 2006, Parks Services Officers decided to arrange another inspection following the emergence of the new spring growth when the trees are easier to identify in terms of their recovery as they are displaying their optimum growth.

The inspection of the eleven (11) trees located along the Beaufort Street frontage revealed some *major* sections of dead wood within the canopies. As these were now deemed as a potential hazard to the public, they will be required to be pruned back off Beaufort Street.

An inspection of trees numbered 1, 7, and 8 (*refer attached plan*) revealed that the majority of their canopy was dead with no epicormic (*watershoot*) growth evident. The buttress (*base*) of these trees, including the three (3) that were in decline, were still structurally sound at ground level and therefore not in danger of total collapse.

However trees numbered 1, 7, and 8 have declined to a point where the arboricultural consultant has recommended they be removed. The remaining trees require target pruning back to a growth points to remove the dead wood.

The recommended pruning of all these trees will be undertaken by the Town's tree pruning contractor under the supervision of aboricultural consultant Charles Aldous-Ball.

The eight (8) trees located along the Bulwer Street frontage require some minor target pruning and removal of some dead branches otherwise they have not been overly affected by the Honey Fungus.

The aboricultural consultant has also recommended that the Town implement a fertilising and mulching program around the base of the eastern row of London Plane trees to assist in their recovery.

In addition, the consultant has recommended that the Town replants with the same tree species (*London Plane*) to maintain the continuity of the existing planting within Birdwood Square. While the idea of replanting with a tree indigenous to the area had been discussed the arboriculturist recommended that they would be just as susceptible to being affected by the Honey Fungus.

Port Jackson Fig - Hyde Park

Aboricultural Report –January 2005 (*Glendower St frontage*)

This Port Jackson Fig (*Ficus rubiginosa*) was initially inspected in December 2000 as the tree was in severe decline due to an initial infestation of Fig Psylid (*Mycopsylla fici*). This insect infestation resulted in the defoliation of the majority of the trees' canopy. Vascular injections of the insecticide "Rogor" eliminated the Fig Psylid, however; with the tree being devoid of foliage, recovery has been very slow.

An inspection and progress report undertaken in January 2005 revealed that whilst overall leaf growth was sparse, there was regrowth emerging within parts of the crown of the tree. Although this recovery is minimal, it is evident that the tree is regaining strength.

As a precautionary measure, an application of the product "Trichoshield" was applied around the root zone of this tree. This treatment was undertaken to eliminate any potential secondary threat of harmful soil pathogens.

Aboricultural Report –October 2006 (*Glendower St frontage*)

A further aboricultural report was undertaken on the Port Jackson Fig (*Ficus rubiginosa*) located along the Glendower Street frontage in October 2006 as the tree had a significant amount of dead wood within the canopy which could represent a potential danger to the public.

The inspection revealed that there were some major limbs that required target pruning back to a growth points. Pruning was immediately undertaken by contract staff to alleviate the weight load on the tree canopy thus eliminating any danger of branch failure. As recommended previously, the tree's canopy was not pruned back too hard as this would have depleted the tree's stored energy levels, thus hindering the tree's recovery.

An inspection of the buttress of the tree and large associated root system indicted that it was structurally root firm and not in danger of total collapse.

The aboricultural consultant also took some tissue samples of the tree to ascertain if there were any harmful fungal or insect pathogens present, however, these did not reveal any problems. Soil samples were also undertaken and, upon receipt of these results, any recommendations will be acted upon.

CONSULTATION/ADVERTISING:

Adjacent residents/businesses will be advised of any pending removals/replacement should these works be approved by the Council.

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

In accordance with Strategic Objective 1 of the Strategic Plan 2006-2011 - Natural and Built Environment 1.3.1 *"Enhance and maintain parks and community facilities"*.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of the removal/replanting of the three (3) trees, including traffic management where works will affect adjacent Beaufort Street, and the pruning /removal of all dead wood from within the trees' canopies, is estimated to cost \$32,000.00.

A new budget item (Amenity Pruning) was introduced in 2005 to cater for such works within parks and reserves. Previously, the respective parks maintenance budgets were used and invariably were overspent when even one (1) large tree was removed from a park due to the significant cost involved.

The 2006/07 budget for Amenity tree pruning was \$50,000 of which \$14,000 has been spent to date. Therefore, a total \$34,000 is remaining.

COMMENTS:

The remaining (and proposed) London Plane trees located within Birdwood Square and the Port Jackson Fig located in Hyde Park will be monitored in conjunction with aboricultural consultant Charles Aldous-Ball and Parks Services Staff.

The pruning of the tree canopies undertaken at Birdwood Square and Hyde Park will give some indication as to their response in terms of their recovery and future long term health.

While the shape and form of some of the trees will be altered by the removal of the dead wood, new epicormic growth will appear and new branch structure will reform.

It is unfortunate that some trees have to be removed, however, this is recommended in the interests of public safety.

10.3.2 Authorisation of Expenditure for the period 1 - 30 November 2006

Ward:	Both	Date:	04 November 2006
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	Melike Orchard		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) *Schedule of Accounts for the period 1 November - 30 November 2006 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 10.3.2

COUNCIL DECISION ITEM 10.3.2

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

DECLARATION OF INTEREST

Members/ Officers	Voucher	Extent of Interest
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Nil.

PURPOSE OF REPORT:

To seek authorisation of expenditure for the period 1- 30 November 2006.

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	\$1,204,751.29
Total Municipal Account		\$1,204,751.29
Advance Account		
Automatic Cheques	57070-57126, 57128-57341	\$1,204,788.75
Municipal Account		
Transfer of Creditors by EFT Batch	589, 591-592, 594, 597- 599,601	\$3,431,013.62
Transfer of PAYG Tax by EFT	November 2006	\$239,680.10
Transfer of GST by EFT	November 2006	0.00
Transfer of Child Support by EFT	November 2006	\$946.71
Transfer of Superannuation by EFT City of Perth	November 2006	\$46,306.55
Local Government	November 2006	\$138,082.17
Total		\$5,060,817.90
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$4,607.43
Lease Fees		\$2,203.27
Corporate Master Cards		\$10,408.02
Australia Post Lease Equipment		\$86.61
2 Way Rental		\$165.00
Loan Repayment		\$64,664.31
Rejection Fees		\$15.00
ATM Rebate		\$0.00
Beatty Park - miscellaneous deposit		\$0.00
Total Bank Charges & Other Direct Debits		\$81,898.03
Less GST effect on Advance Account		-137,529.68
Total Payments		\$6,209,937.54

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 – Key Result Area 4.2 – Governance and Management

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

ADVERTISING/CONSULTATION:

Nil.

COMMENT:

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

10.3.4 Timetable - Budget 2007/2008

Ward:	Both	Date:	11 December 2006
Precinct:	All	File Ref:	FIN0025
Attachments:	-		
Reporting Officer(s):	M Rootsey		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES the timetable for the 2007/2008 Budget as detailed below:

<i>DATE</i>	<i>TOPIC</i>
<i>1-30 April</i>	<i>Executive Management Team (EMT) to review Draft Budget input.</i>
<i>7 May</i>	<i>Draft budget issued and a Confidential Briefing provided to Elected Members</i>
<i>15 May</i>	<i>1st Budget briefing/Special Council Meeting (open to the public</i>
<i>29 May</i>	<i>2nd Budget briefing/Special Council Meeting (open to the public)</i>
<i>30 May - 1 June</i>	<i>Budget documentation finalised for public comment</i>
<i>4 June</i>	<i>Advertise for public comment</i>
<i>22 June</i>	<i>Public comment closes</i>
<i>22 June - 5 July</i>	<i>Final Budget documentation and report for Council prepared</i>
<i>6 July</i>	<i>Agenda report issued</i>
<i>10 July</i>	<i>Adoption of Annual Budget first Council meeting in July</i>

COUNCIL DECISION ITEM 10.3.4

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

To provide a timetable for the preparation and adoption of the Annual Budget 2007/2008.

BACKGROUND:

The Administration is about to commence preparation of the 2007/2008 Budget. It is the intention to adopt the 2007/2008 Budget at the first Council meeting in July which is held on 10 July 2007. It is therefore important that the Council approves the timetable as outlined to ensure that the Budget is adopted on the proposed date.

DETAILS:

The Annual Budget forms an integral part of the Town's Plan for the Future 2006-2011, which was recently adopted by the Council.

The timetable proposed allows for both suitable Elected Member and community reviews.

The Draft Budget will be initially issued to Elected Members. A confidential briefing will be provided to Elected Members either collectively or individually depending on circumstances. The Draft Budget deliberations will then be held at the scheduled Special Council Meetings, the public are invited to attend these meetings

The public will also be invited to comment on the Draft Budget prior to adoption.

The proposed Budget Timetable is outlined below:

DATE	TOPIC
1-30 April	Executive Management Team (EMT) to review Draft Budget input.
7 May	Draft budget issued and a Confidential Briefing provided to Elected Members
15 May	1 st Budget briefing/Special Council Meeting (open to the public)
29 May	2 nd Budget briefing/Special Council Meeting (open to the public)
30 May - 1 June	Budget documentation finalised for public comment
4 June	Advertise for public comment
22 June	Public comment closes
22 June - 5 July	Final Budget documentation and report for Council prepared
6 July	Agenda report issued
10 July	Adoption of Annual Budget first Council meeting in July

CONSULTATION/ADVERTISING:

The Draft Annual Budget is advertised for 21 days in accordance with the Community Consultation Policy.

LEGAL/POLICY:

The Annual Budget is prepared in accordance with the Local Government Act (1995) Section 6.2.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 Plan for the Future - Objective 4 - Leadership, Governance and Management:

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

(c) Develop a medium to long term strategic vision and strategic financial plan to ensure the long term financial viability of the Town.

FINANCIAL/BUDGET IMPLICATIONS:

Nil

COMMENTS:

It is important that both the Administration and the Council adheres to the deadlines identified in the timetable to ensure that the Annual Budget is adopted on time.

10.3.5 Seniors Strategy - Progress Report No. 2

Ward:	Both	Date:	11 December 2006
Precinct:	All	File Ref:	CMS0089
Attachments:	-		
Reporting Officer(s):	J. Anthony, A. Bateman		
Checked/Endorsed by:	M. Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Progress Report No. 2 on the Town of Vincent Seniors' Strategy.

COUNCIL DECISION ITEM 10.3.5

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

To provide a progress report to inform on the latest developments that have been undertaken as part of the Seniors Strategy project.

BACKGROUND:

The Town of Vincent, in partnership with the Centre for Research into Aged Care Services at Curtin University of Technology, Perth, decided to adopt a 'Process of Seniors' Consultation' in 2002.

The model of consultation involves four stages, the first of which has been completed and the second is currently underway.

Stage 1: Senior Friendly Community Survey

Identify and prioritise barriers to maintaining independence

This stage involved the distribution of a questionnaire to all residents in the Town aged 55 years or over. It is described further later.

Stage 2: Group Workshops

This stage will be carried out with key groups made up of Town of Vincent residents, including interested survey respondents. Groups will be chosen carefully so that people from culturally and linguistically diverse backgrounds and people with disabilities are able to participate. This will involve working together with existing organizations and groups, such as the Italian Senior Citizen's Association, to conduct group sessions.

Step 1: Break down the priority barriers into specific issues

The barriers or issues raised in Stage 1 are likely to be very general. This step will involve working with groups to break these large issues into smaller more manageable ones (e.g. transport barriers broken down into issues to do with medical appointments, shopping, getting to a community center, etc). The groups will be facilitated so that the issues are examined in detail and group members are able to express their views and participate equally.

Step 2: Participants choose a specific issue that they would like to work on

This step involves the formation of smaller groups to work on specific issues. For example a group may form to look at transport to medical appointments. A facilitator will assist the group to consider the following questions in relation to the specific issue they have chosen:

- Why is it an issue?
- How many people are affected by the issue?
- Where are the people located?
- When is the issue of concern?

The knowledge gained from considering these questions should enable the group to find appropriate solutions when identifying strategies in later stages. The group will also determine if more information is needed in order to answer these questions before progressing to consider solutions.

Step 3: Restating the issue as a goal

When a group believes it has sufficient information about an issue, it will restate the issue (current situation) as a goal or the desired situation. For example, the issue "seniors lack transport to go shopping for groceries" could become the goal, "to provide transport to enable seniors to shop for groceries". If a group does not believe that it has sufficient information about the issue, the goal may become "to gain further information".

Step 4: Identifying strategies to meet the goal

A facilitator will assist a group to identify strategies to achieve the goal. The facilitator will try to draw out a diverse range of strategies rather than just accepting standard responses.

Step 5: Select favoured strategies

The facilitator will assist a group to thoroughly evaluate the strengths and weaknesses of each proposed strategy. Groups will also be encouraged to consider ways of overcoming potential obstacles. One or more strategies will be chosen for implementation.

Step 6: Develop an action plan

The facilitator will assist a group to develop an action plan that describes how the group will make their strategies become a reality. The plan will detail who is going to do what, how and by when.

Stage 3: Implementation of the action plan

The action will be implemented by the group and, ideally, each group member will be given the responsibility to perform a task. The action plan may involve the participants setting up a new program, or working together with an existing agency, for example the Town of Vincent, to establish needed services.

Stage 4: Evaluation of the Action Plan

At this stage, the degree to which the action plan has been implemented will be assessed. Strategies may also be evaluated to determine whether or not they were appropriate for meeting the goals set.

From Stage 1, the results of the survey indicated the following priority areas that needed further consultation, research and investigation;

- Personal/Home Safety;
- Transport;
- Attitudes towards Seniors;
- Physical Access; and
- Home Support.

The Town of Vincent Seniors' Strategy has received a commendation award in the 2006 National Awards for Local Government. The initiative of Transport Assistance was also awarded a commendation in the 2006 Accessible Communities Award.

DETAILS:

Personal/Home Safety Workshops

Workshops were held in November 2004 and April 2005 to address Personal Home Safety issues. The following items which were prioritised in the action plan according to votes by participants.

Action Item	Progress to date
Working group of participants	A group of interested participants from the seminar were brought together to form an informal working group. It is important to harness this energy and delegate programmes that will encourage individual participation
Better street lighting by cutting and pruning trees	Participants were asked to provide further information on these areas which were then forwarded to Technical Services for action.
Audit- information about which streets etc are in need of attention	Liaised with Safer Vincent Coordinator on recent street audits. Submissions to be encouraged from participants on which streets are of concern. Safer Vincent Coordinator also addressed the Working group to update on audits that have been completed and look at need for further audits.
Are street lights directed towards the road or the footpaths? Footpaths need to be more illuminated	Information to be sought from Technical services and presented to the working group.
Notice in local papers requesting owners to keep overhanging trees, plants etc trimmed so as not to interfere with public footpaths. Otherwise council will cut and charge	Liaise with Technical Services for action.
Don't put gravel again- too slippery. Put bitumen on track (Dangerous walking track to bus, Auckland St to London St)	Liaise with Technical Services for action and determine acceptable services.

Dedicated 'Dob in a danger' phonenumber for concerns and compliments to avoid the run around on the phone. Maybe a fridge magnet with appropriate phone numbers	<p>Liaise with Technical Services for action and determine enquiry workflow.</p> <p>Contact numbers issue to be actioned by Community Development</p>
Overpass- Charles St and Fitzgerald St	Liaise with Technical Services to action
Trees with berries spill on to the path from individual properties and council and make the paths very slippery	Liaise with Technical Services to action
Home safety audits	WA Police have an ongoing service to conduct home audits. Information on this to be widely promoted to seniors in Vincent - perhaps include in Seniors Directory. Include in newsletter in a more distinguishing format - eg separate page for seniors information.
If there is a problem, have a middle person to help	Need to clarify what the issues may be and the role of the Town. Investigate the possibility of a mediation service or utilising existing services such as Citizen's Advice Bureau.
Neighbourhood watch in all areas	The working group of seniors to work on this issue with officers from the Town to develop a more suitable programme for the community. TAFE student involvement.
Improve footpaths (no slabs)	Liaise with Technical Services for action
Make a map of the safest routes to significant areas	A safer seniors map and access and facilities guide is currently available and will be forwarded to all participants.
Encouraging community to ring police with crime issues- Education, repercussions Enforcement with rangers, parking difficulties	<p>Further information to be obtained on this issue.</p> <p>Discussed and developed with Ranger Services and Community Safety section. Manager addressed the working group to address concerns and queries.</p>

Issues which did not get as many votes will still be addressed particularly those which are deemed to be within the core business of the Town of Vincent and other agencies. The following were earmarked for further action:

Action Item	Progress to date
Form in the newsletter so that residents can inform council of problems with lighting, footpaths	The Town of Vincent newsletter has Have your Say Forms attached for this purpose. The working group worked on redesigning specific forms to make it clearer for seniors.
Encourage people to contact Town of Vincent when a light goes out. Put in Newsletter that Town of Vincent to be directly contacted.	Liaise with Public Relations Officer (PRO) on appropriate promotion in newsletter. PRO addressed the working group to update on issues in question.
Contact sheet Who to contact when lights go out in different languages	Liaise with Technical Services

Help with little jobs: Handyman Changing light bulbs Pruning trees	There are agencies in the Town available to assist with this. Further promotion of this will be required via newsletter, and direct to participants.
Advising residents of personal home alarms (Silver Chain)	There are agencies in the Town available to assist with this. Further promotion of this will be required via newsletter, and direct to participants.
List of contacts in all languages: Police Town of Vincent	Contact numbers issue being developed by Community Development with specific languages to be targeted. TAFE involvement.
Talk to shopping centre management about: Acrod Speed limit Safety in carpark Security officer to patrol	Working group to work on this issue and advocate concerns to various shopping centres. Manager Community Safety and Ranger Services discussed the various local laws and jurisdictional issues in this respect.
Make sure there are adequate Acrod bays and they are kept clear for permit holders	Liaise with Rangers
Signage with telephone numbers advising people with problems to contact Town of Vincent, Rangers and shopping centre management	Working group advocated concerns to Manager Community Safety and Ranger Services directly. Manager raised this issue for follow up with specific shopping centres.
Buses taking elderly people to shopping centres such as Dog Swamp	People who Care offer a shopping service for residents. This information passed on to participants.
Educating people in ATM use	Community Development to liaise with Banks.
Education: what Town of Vincent rangers actually do. Eg: for noise, minor disturbances. Perception only for dogs and parking	Liaise with Ranger Services for further information. Promote widely.
Injury and falls information	Liaise with Injury Control Council of WA and promote information to seniors in the Town.

The progress on the plan has been as follows:

- Report and recommendations have been compiled and translated into Italian.
- Both English and Italian reports have been mailed to participants asking for comments.
- The list of specific areas to be addressed provided by participants were compiled and categorised into issues to be discussed with Technical Services.
- The recommendations have been categorised into a scheduled workplan, identifying various sections in Council.
- Meetings have been held with Manager, Engineering Services, Manager Ranger and Community Safety, Safer Vincent Coordinator and Public Relations Officer to discuss items that are relevant to their area.
- From these meetings, about 80% of the issues were determined as information provision, where participants were not aware of services that were available for them to access. This included participants not being aware of key contact numbers dealing with traffic light failure, street lights not working and parking problems.
- A list of key contact numbers is being compiled.

- Four meetings have been held with the seniors who were interested in forming a working group. At these meetings seniors were given an update of the project plus prioritised issues to work on.
- Issues which have been raised so far have been discussions with Manager of Rangers and Community Safety on parking issues and duties of rangers, and reviewing the Have your Say Forms.
- Two key projects that have been worked on is Neighbourhood Project to encourage good neighbours which a symptomatic of seniors feeling safer in their homes, and a Seniors Contact List for seniors to have easy access to important numbers which were identified through the consultation.
- TAFE at Mount Lawley have entered into a collaboration with the Town where students are working on the senior's projects as part of their practical course requirements.
- Students have research the best form of presenting the contact list with consultation with seniors, including quotes from printers.
- Students have research a various neighbourhood initiatives by Councils across Australia and will be putting together a concept plan prior to Christmas 2006.

Two significant outcomes for this aspect of the strategy are the provision of information and the importance of good neighbours to foster a sense of safety and security.

Transport Workshops

Transport was the issue which survey respondents rated as their greatest concern after Personal/Home Safety.

The forum was split into two parts with the first part held on 16 August 2006 and the second part held 18 October 2006.

Part A of the forum introduced the issue of transport with various presenters speaking about the range of transport options available to Town of Vincent residents aged over 55 years. The presentations were followed by a facilitation sessions in which questions relating to transport were discussed.

Part B of the forum was based on the feedback received from Part A. The second forum involved the development of an action plan that will determine the priority focus areas and provide a guide for the division of tasks between the Town, delegates, other levels of Government and other agencies.

Many of the people who participated in the Transport Forum had also participated in the Personal and Home Safety Forum. A total of 76 people attended the Part A and 67 people Part B.

Participants were asked to work through four questions:

- Where in the Town of Vincent do you live?
- Where do you commonly travel?
- What, if anything, currently prevents you from getting to the places you want to go?
- Did you learn of any new transport options this morning that you intend to start using? If so, where would you go and which transport option would you use to get there.

Each participant group used an A0 sized map of the Town of Vincent including the main shopping areas, facilities and transport routes to assist them with these questions.

Below is a summary of some of the common trends that emerged from Part A of the Transport Forum:

Where people commonly travel to:

- Shopping centres - Innaloo, Dog Swamp, Mt Hawthorn, Innaloo, Warwick, Karrinyup, Floreat, Belmont, Leederville, City, North Perth, Mt Lawley
- medical & allied health - doctors, hospitals, GPs, specialists, dentists
- Library & Loftus Centre
- Church
- visit family/friends

Areas commonly mentioned:

- North Perth
- Dianella
- Leederville
- Mt Hawthorn
- Fremantle
- Perth City
- Cottesloe
- Subiaco
- Joondalup
- East Perth

Areas difficult to get to:

- West Perth
- across the Town of Vincent
- Dianella
- Highgate
- Beatty Park
- Mandurah
- Karrinyup Shopping Centre
- Glendalough train station - no buses
- Glendalough shopping centre (too far from train station)
- Town of Vincent office - crossings deemed dangerous because of heavy traffic
- Walcott Street - no buses
- Lord Street/east Parade - difficult to cross
- North Beach Community Centre
- Edinboro Street

Modes of transport mentioned:

- Drive own car
- driven by partner
- Walk
- Bus
- Taxi
- Train
- 1 mentioned Ferry
- 1 mentioned family/friends
- nobody mentioned gophers, bicycles

Issues that prevent people from getting to places:

- not having the information - too scared to ask or not sure who/ where to ask
- fear of public transport - fear of falling in the bus when stop suddenly, getting on and off the bus, getting seats, bus design, safety concerns
- lack of parking
- mobility
- difficulty of getting buses
- after dark activity limited - fear
- inaccessible crossings (pedestrian)

Comments about public transport:

- Bus routes in and out of Town but not across the Town
- lack of buses on weekends and evenings
- free concession for seniors on Sunday but there are no buses and shops/businesses/medical not open for travel
- some routes have been deleted
- bus ramps steep at main stations
- bus transport to West Perth is complex
- transport to major hospitals is complicated and time-consuming
- Parking at Leederville Train station is limited and expensive
- Parking at Glendalough station is limited
- lack of information on getting trains
- Transperth website difficult to manoeuvre

Comments about parking:

- Parking in Leederville is limited
- difficulties for shopping, and leaving car to take train
- parking bays too narrow for seniors
- parking signs - writing too small and difficult to read - some are difficult to understand

More information was requested on:

- use of new Smart Card system - more practical session "try before using"
- how to access public transport - buddy system to teach people on how to use public transport
- using the timetables for buses and trains - need smarter version
- how to access transport options
- Home and Community Care
- other Services g Mobility allowance from Centrelink, People who Care, Veteran's Affairs

Based on the feedback from the first workshop, the following goals and strategies were developed for further discussion at the second workshop.

Goal 1: To feel safe and confident when using public transport.

Strategies:

- Ensure that the public transport meets the needs of older residents living in the Town of Vincent.
- Ensure that Town of Vincent residents are able to get to train stations and bus stops safely.
- Ensure that older residents know where to get information about public transport.
- Provide opportunities and support older people to learn how to use public transport and the new technologies introduced by Transperth.

Goal 2: To be well informed about the range of transport options available for residents in the Town of Vincent.

Strategies:

- Ensure that older residents have information about the range of transport options available for residents in the Town of Vincent.

Goal 3: To have transport to major shopping centres, hospitals and specialist medical appointments.

Strategies:

- Work with existing service providers to develop transport options to meet gaps in services for older people.

During the last stage of the forum participants were asked to think of appropriate actions that could be taken to achieve the suggested goals and strategies.

For each strategy:

- How are we going to do this?
- Who is going to do this (individuals, Town of Vincent, State or Commonwealth Government, other agencies etc)
- When are we going to do this?

In relation to Transport, the following items which were prioritised in the action plan according to votes by participants will be further developed over the next six months.

Action Item	Development Required
Free trip on a weekday as well as public holidays and weekends.	Advocate for a change in the policy of Transperth
More ACROD parking and seniors bays needed	Liaise with Law and Order Services
Clipper across to buses and trains much safer	Explore existing Clipper or CAT bus services and determine the viability of establishing such a service.
Increase knowledge of transport services.	Look at how clear information can be distributed or made available to residents.
Evaluation of (public transport) services	Provide feedback to Transperth regarding the concerns raised by seniors.
More seminars (about public transport)	Work with services providers to run more information and practice sessions for seniors.
More computer classes (raised in relation to helping people access the internet for information on public transport)	Work with existing service providers to provide computer classes.
Well trained bus drivers who are patient with new users and will teach them	Provide feedback to Transperth
Develop at program using buddies (help people learn to use new systems introduced by Transperth)	Work to establish a buddy program
Make friends with neighbour	This is already being worked on by the Personal/Home Safety working group.
Fridge magnet with important numbers	Look at incorporating numbers for transport providers on the fridge magnet being produced by the Personal/Home Safety working group.
People want to know who to complain to when things are not going the right way.	Provide people with information about where they can report concerns and problems.

<p>Bus only on certain days and locations to different destinations</p>	<p>Seek feedback and information from Transperth regarding the operation and closure of some bus routes. Lobby for the re-establishment of lost routes where appropriate.</p>
<p>Introduce a circle route to go around the suburbs that includes shopping centres and hospitals.</p>	<p>Work with existing services providers to introduce a regular service going to major shopping centres.</p> <p>Look at ways to improve the transport available to people needing transport to hospitals and other specialist medical services.</p>

CONSULTATION/ADVERTISING:

An invitation to the Transport Forum was sent to a sample of 800 residents who received a questionnaire in 2003 asking them to identify and rate issues of concern them. The invitation was also sent to the people who participated in the Personal/Home Safety Forum and to 500 people on the Vincent Seniors mailing list.

Additionally, the workshop was promoted through editorial in the local papers and Have a Go News.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 - Strategic Objective 3 - Community Development

3.1 Enhance community development and wellbeing

- 3.1.2 *Provide and develop a range of community programs and community safety initiatives.*
- 3.1.3 *Determine the requirements of the community.*
- 3.1.5 *Focus on community and customer needs, values, engagement and involvement.*

FINANCIAL/BUDGET IMPLICATIONS:

\$10,000 has been allocated towards the Strategy in the 2006/2007 Budget.

COMMENTS:

The progress on the Seniors' Strategy is based on a concerted approach which is supported by the Seniors Advisory Group. The methodology and outcomes of the project continues to be of interest in the community development industry, to the extent that Curtin University and WALGA have approached the Town to showcase the project and its approach to other local governments.

Feedback from the Part A and Part B of the Seniors Transport Forum indicates that older residents want transport options that are cheap, reliable, convenient, flexible and well suited to people who are less mobile.

Older residents make good use of public transport when it is convenient and easy to access. There are concerns about a lack of public transports from East to West, across the Town of Vincent, and a lack of routes that link with Leederville and Glendalough train stations. The closure of some bus routes has reduced transport options for some residents in the suburb of Perth and along Walcott Street. Changes in technology recently introduced by Transperth have left many people feeling confused and apprehensive about using public transport. There is a need for clear, accessible information and programs that provide support to older people in learning about new systems such as, Transperth Smart Card. Many participants commented that the free travel day offered to seniors by Transperth on a weekend should be changed to a week day, preferably a Thursday, when they are more likely to want the transport and buses are more frequent.

Places that residents find difficult to get to without a car include major shopping centres, such as Karrinyup, Morley Galleria and Innaloo, hospitals including King Edward and Sir Charles Gairdner and medical specialists based in West Perth.

It appears that Home and Community Care Transport is not as well utilised as it could be. Feedback indicates that this is largely because people are not aware of the services available to them. There is also an issue with the strict eligibility criteria for these services that can exclude well aged seniors on lower incomes.

The Town of Vincent's Taxi Voucher assistance scheme was already being used by a number of the participants. Feedback suggests that people like the fact that the assistance is easy to access and the transport is flexible and easy for them to organise themselves.

It was encouraging to learn that many people still walk to get to their local shops and social engagements or they use a combination of walking and other transport options.

It is clear from the feedback received that seniors require more information in a range of formats about the transport options available to them.

There will be continuing consultation with an informal group of seniors to develop the recommendations as part of the action plan for transport issues.

The involvement of TAFE students has assisted with much needed resources to undertake various tasks such as researching specific issues and assisting with facilitating participant groups as part of the forums.

The next issue that will be addressed as part of the Seniors Strategy will be Home Support. This issue has been continually raised over the four workshops held and it would be timely to address and develop this as the next stage following the completion of the Transport action plan.

10.4.1 Use of the Council's Common Seal

Ward:	-	Date:	12 December 2006
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council ENDORSES the use of the Council's Common Seal on the documents listed in the report.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
5/12/06	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd, Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Perth Glory Christmas Party - 7 December 2006 (Pitch and NW Grass Area)
5/12/06	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Football Federation Australia Ltd of Level 7, 26 College Street, Sydney NSW 2000 re: FFA Training Sessions - 19, 20, 21, 23, 24, 26, 27, 29, and 30 December 2006 and 2, 3, 5 and 6 January 2007 (Pitch, Change room 1, Chairman's Lounge)

Date	Document	No of copies	Details
7/12/06	Deed of Covenant	4	Town of Vincent and A J Burns, D F Burns, Hawkesdale Nominees Pty Ltd, RG & SI Campbell Nominees Pty Ltd, R Smith, M Smith, Hepera Pty Ltd, Sounar Pty Ltd, Top Nominees Pty Ltd and Cloud Holdings Pty Ltd, C/o Match Projects, 254 Rokeby Road, Subiaco (Owner) and St George Bank Ltd (Mortgagee) re: No. 81 (Lots 2 & 4) Walcott Street, Mount Lawley - Demolition of Existing Single House and Commercial Premises and Construction of a Three-Storey Mixed Use Development Comprising Twenty One (21) Multiple Dwellings, Four (4) Shops, One (1) Eating House and Two (2) Offices and Associated Car Parking - Deed of Covenant for Amalgamation
11/12/06	Contract Documents	2	Town of Vincent and Leederville Gardens Retirement Estate of 37 Britannia Road, Leederville and Mrs J A Spicer re: Unit 11, Leederville Gardens Retirement Estate
12/12/06	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd, Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Spotless Function - 12 December 2006 (Pitch and NW Grass Bank)
12/12/06	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd, Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: WARL AGM - 13 December 2006 (Gareth Naven Room)
12/12/06	Agreement	2	Town of Vincent and Vir Holdings Pty Ltd of 37 April Road, Dianella and Babacus Holdings Pty Ltd of 50 Angove Street, North Perth to incorporate a portion of privately owned land into the Wasley Street Car Park for the purpose of enforcement of Parking Restrictions (Portion of Swan Location 671 - R.O.W. - on Diagram 4674, as shown on Certificate of Title, Volume 1838, Folio 935

10.4.5 Report on the Local Government Economic Development Conference - Melbourne, Victoria - 16-17 November 2006

Ward:	-	Date:	8 December 2006
Precinct:	-	File Ref:	ADM0031
Attachments:	-		
Reporting Officer(s):	John Giorgi, R Lotznicker		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the report of the Chief Executive Officer and Executive Manager Technical Services attendance at the Local Government Economic Development Conference held in Melbourne, Victoria on 16 and 17 November 2006.

COUNCIL DECISION ITEM 10.4.5

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is provide the Council with information on the Chief Executive Officer and Executive Manager Technical Services' attendance at the Local Government Economic Development Conference held in Melbourne, Victoria on 16 and 17 November 2006.

BACKGROUND:

This National Conference provided insights into economic development management strategies being adopted by local governments in Australia. It focussed on leading examples of how Councils have been able to deliver positive outcomes in their communities in terms of attracting investment and creating jobs.

The Conference was supported by Economic Development Australia (EDA) which is the newly formed national professional body for economic development managers and practitioners in local government. The new Association has grown out of the Economic Development Association of Victoria (EDAV).

The Conference was attended by approximately 250 delegates from throughout Australia and New Zealand. Approximately twelve (12) delegates, from five (5) Western Australian local governments attended.

Presentations at the Local Government Economic Development Conference included insights into the following topics:

- Creating the framework to attract investment to your municipality
- Investing seed capital in facilities to attract business

- Key elements of a pro-active Economic Development approach and the identifiable outcomes
- Creating business-friendly websites to drive local business activity and boost local demand for goods and services
- Establishing powerful links with your local business groups and chambers
- Leveraging new technology to attract business
- Employment generating initiatives within Local Government Associations
- Working with industry to build "multiplier effects" in sector-specific fields
- Anticipating future changes and the impact to your local business community.

The Conference drew from a number of the inspirational and successful initiatives, which have been adopted in different parts of Australia. It was specifically tailored to enable delegates to immediately use the information in their daily work.

It focused heavily on case studies which enabled delegates to draw important lessons from leading Councils and provided a unique opportunity to network with Economic Development Managers in local government from all parts of the country.

Some topics which are particularly relevant to the Town included;

- Numerous case studies to generate investment, economic development/activity
- The role and needs of Economic Development Managers
- Shifts in the management of Economic Development.

DETAILS:

The conference welcome address was delivered by David Keenan Director of City Sustainability at Hume City Council. He oversees the key functional areas of Strategic Planning, Economic Development, Environment and Statutory Planning.

David gave an overview of what was to come over the two days and discussed creating environments and the processes that facilitate sustainable economic development economic development and establishing a framework for job creation in the community.

Presenters' Summary:

Adelaide City Council's Workforce Growth Plan

Greg Ratsch - Economic Development Manager, Adelaide City Council

Greg Ratsch's career in economic development started with an industry based employment program in a Regional Development Board (Riverland Development Corporation). Following that he joined a State Government economic development agency where he focussed on business and industry development. His experience in local government comes from a stint with a suburban council (City of Marion) before joining a capital city council.

Greg is currently the Economic Development Manager at Adelaide City Council and is responsible for Council's workforce and student growth initiatives, business advisory service, economic analysis and maximising Council's external funding. His main interests are small business development, cross-sectoral projects, economic development strategy and projects which deliver strong social outcomes through economic development initiatives.

"Lessons and Observations:

- *Identify partnership opportunities*
- *Integrate with other Council strategies and programs*

- *Develop strong and focused relations - don't be solely opportunistic*
- *Balance strategy with responsiveness and flexibility*
- *Engage with the private sector - the closer you get to your customers, the more they will promote the services you offer."*

Economic Development Expenditure and Activity within Councils

Sasha Lennon - Director, SGS Economics and Planning

Sasha Lennon is a Director of consultancy firm SGS Economics and Planning Pty Ltd in Brisbane. A trained economist and certified practising planner (CPP), his consultancy experience includes local and regional economic development, public policy analysis, strategic land use planning, industry sectoral studies, retail economics, cluster analysis and economic impact assessment.

Amongst the many consultancy projects he has been involved in, Sasha led a national study looking at the role of Local Government in economic development facilitation on behalf of the National Office of Local Government within the Department of Transport & Regional Services. More recently, he prepared a regional economic development strategy for South East Queensland's Sunshine Coast Region.

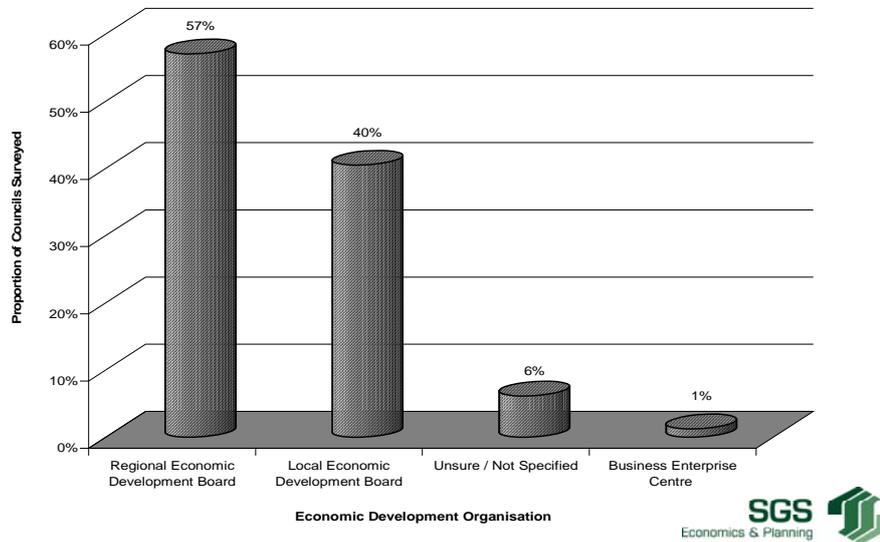
Sasha has also recently prepared a Creative Industries Audit & Strategy for Gold Coast City Council, a Knowledge-based Industries Audit and Strategy for Logan City Council and a major research project on behalf of the Department of Education, Science and Training to assess Australia's market for international education in Thailand. Amongst other projects, he is presently working as part of a team on the City of Perth Creative Industries Mapping Project.

Extracts from Sasha's Power Point Presentation are shown below:

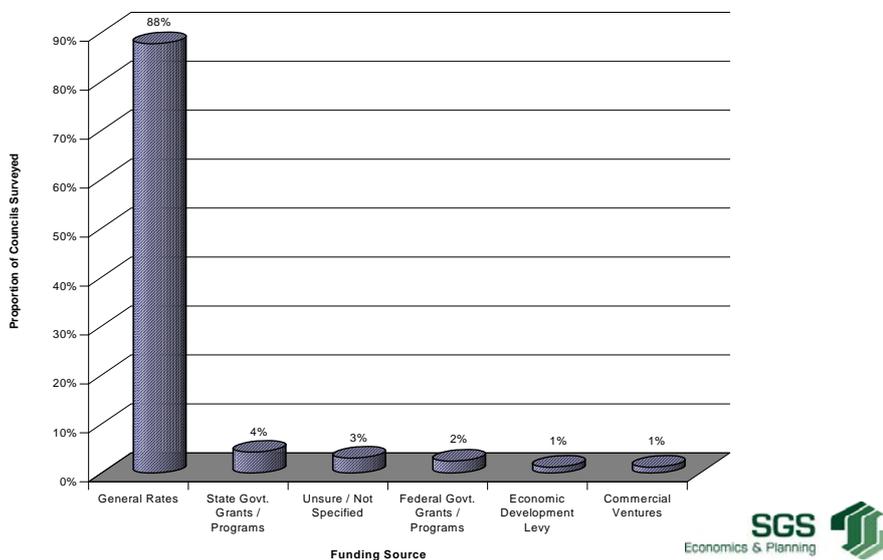
Economic Development Expenditure

- It is estimated that Local Councils in Australia allocate approx. **\$140 million p.a** (in 2006 \$) to the promotion and facilitation of economic development.
- The average Council funding allocation to facilitating economic development is around **\$225,000 p.a** (in 2006 \$ values), inc. staff salaries and project implementation funds, but exc. capital works and infrastructure provision.
- Approx. 70% of Councils have one or more dedicated economic development staff positions.
- Over half of all Councils allocate human and financial resources to a another regional agency.

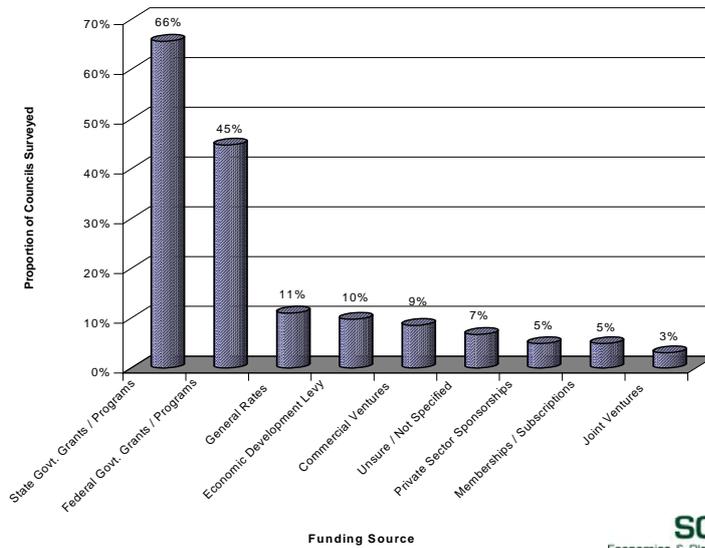
Organisations that Receive Council Funding



Principal Source of Funding – General Rates

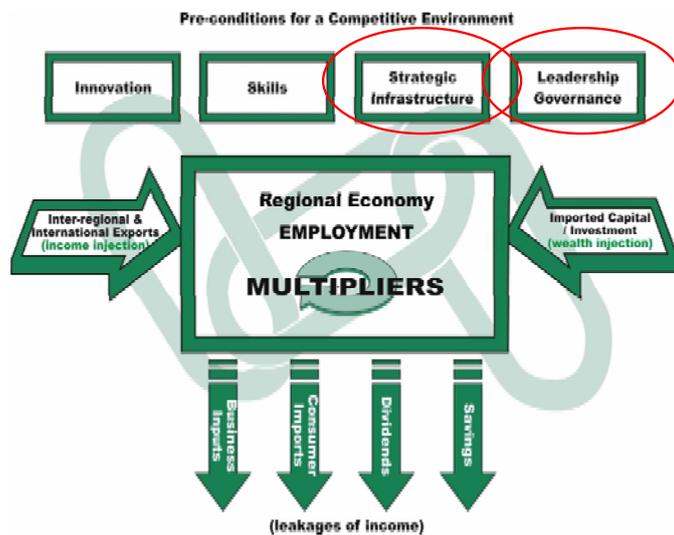


Secondary Sources of Funding



SGS
Economics & Planning

Drivers of a Local Economy



SGS
Economics & Planning

Economic Development Functions

1. Managing a coordinated approach
 - Lobbying
 - Coordinating funding submissions
2. Supporting a conducive business / people environment
 - Strategic planning
 - Information provision
 - Development approvals
3. Facilitating local investment, business & emp. growth
 - Facilitating business networks & clusters
4. Attracting / facilitating new investment
 - Promotion
 - Business attraction

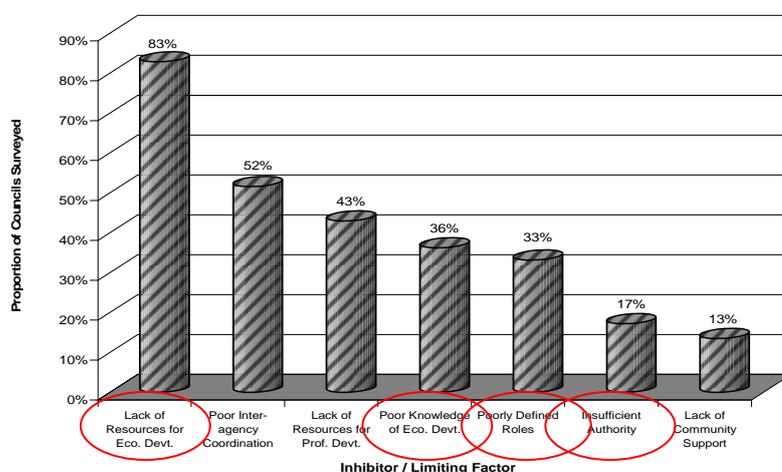


Top 5 Economic Development Activities

1. Facilitating local strategic planning and development investigations (88%)
2. Identification of local economic development issues, strengths and priorities (84%)
3. Development and maintenance of efficient / streamlined local development approvals process / regulatory environment (83%)
4. Facilitating local infrastructure developments and improvements (74%)
5. Facilitating / coordinating local funding submissions to State and Federal Governments (70%)



Inhibitors to Local Government Activities



SGS
Economics & Planning

Moving Forward – 5 suggestions

1. Work with other Councils and State / C'wealth agencies to establish regional planning frameworks
2. Engage the private sector (and non-government agencies) in those regional planning frameworks
3. Understand and support the clusters that drive the regional economy (old and new economy)
4. Invest in local skills and knowledge (particularly within Local Government)
5. Tailor the management model and commit the necessary financial resources

SGS
Economics & Planning

Shifts in the Management of Economic Development: What should we be good at now?

Peter Chaffey - Manager, Business Melbourne, City of Melbourne

Peter currently leads the “Business Melbourne” team of ten professional staff and a budget of AU\$2.5 million, (including a \$1.5 million Business Development Fund), dedicated to advancing business development and trade opportunities for the City of Melbourne. His mission is to expand Council's ability to sustain a prosperous and diverse city economy and create business and trade outcomes via Melbourne’s international connections.

His career has traversed a broad range of senior management, consulting, policy development and research responsibilities in both the public and private sectors. Within these roles his major focus has been on local and regional economic development, business and trade support services and corporate and strategic planning.

Peter holds a Master of Business, (Organisation Behaviour) degree from the Swinburne University of Technology and first graduated from Monash University with Honours in Arts, (Geography/Politics majors). He is a Graduate of the Australian Institute of Company Directors and a member and past-President of the Economic Development Association of Victoria.

Summary:

This presentation spoke about the need for partnerships and collaboration for the Capital City Council to work with other Agencies and Government Departments. The prime function of the City of Melbourne Business Unit is to "value add" to various projects being pursued by other Agencies and also to act as a central liaison point for initial enquiries. Whilst this presentation was very interesting, the scale of the City of Melbourne is well beyond the means of the Town.

City of Salisbury's Regional Economic Development Strategy

Stephen Hains - City Manager, City of Salisbury

Stephen is the City Manager of the City of Salisbury, leading a staff of over 400 people since 1991. Salisbury, one of the larger South Australian local governments, has an annual budget of around \$80 million and a City population of 120,000. The City of Salisbury is a rapidly developing residential area in northern Adelaide, with a strong commercial sector focussing in defence research, electronics and information technology, automotive industries, food and value added agriculture.

Stephen has held various positions in the South Australian Government, including Chief Executive of the Department of Business, Manufacturing and Trade (2003-4), Chairman of the South Australian Planning Commission (1982-88) - during which time he chaired a number of planning and environmental authorities - and Director of Planning in the Department of Environment and Planning (1988-90). From 1976 to 1982, he was City Planner and then Town Clerk of the City of Unley, and prior to that was a consultant, primarily responsible for the first City of Adelaide Plan.

Extracts from Stephen's Power Point Presentation are shown below:

"Issues:

- *Socio-economic*
 - *Unemployment*
 - *Education Attainment*
- *Workforce skill requirements*
- *Community perceptions"*

Economic Development: what is the role of local government?

- *Setting the right investment climate*
 - *Investment facilitation*

- *Providing efficient and effective government services*
 - *DA Performance*
- *Targeted services for business*
 - *Salisbury Business Centre*
- *Providing appropriate infrastructure*
 - *Transport; Broadband, Land; Utilities*
- *Coordination of Government Services*
 - *Economic Development Forum"*

Salisbury Economic Development Strategy

- **Foster innovation, entrepreneurship & collaboration**
 - Economic leaders network
 - Northern Advance
 - Marketing
 - Mawson Innovation Precinct
- **Facilitate sustainable business growth**
 - Investment attraction
 - Business advisory services
 - Export facilitation
 - Sustainable business



City of Wodonga's Logic Industrial Hub

Peter Marshall - Chief Executive Officer, City of Wodonga

As the City of Wodonga's Chief Executive Officer since 1995, Peter actively promotes a strategic approach to planning for the city's growth, its infrastructure and services. Wodonga has experienced the strongest growth of any provincial city in Victoria over the past ten years, and has some major projects underway which will see this strong growth continue into the future.

Projects such as the Logic Industry Hub, the Hume Freeway Bypass, the Wodonga Rail Bypass and the subsequent redevelopment of Wodonga's city centre are some of the main projects transforming the city. Peter has played a key leadership role in all of these projects during his time at Wodonga.

Peter demonstrated a team approach to organisational issues and an interest in applying marketing, customer service and Business Excellence principals in local government. Peter is actively involved in Regional Cities Victoria and is the chair of Victoria's "Make It Happen in Provincial Victoria" Marketing Campaign Committee.

Summary:

This was a most interesting presentation, which demonstrated the City of Wodonga's proactive approach to stimulate economic development. It highlighted a world tour by the City's Mayor, Chief Executive Officer, Elected Members and Senior Officers to Europe and the U.S.A. to study similar projects. It highlighted the City's \$22 million land purchase on the outskirts of the City, construction of a Business Park and the initial negotiations with major companies. This presentation demonstrated a "can do" approach for a local government. It is interesting to note that the \$22 million initial outlay has a current value, after several years, of \$32 million.

Penrith City Council's Innovative Export Development Programme

Jane Holdsworth - Chief Executive Officer, Penrith Valley Economic Development Corporation

As the Chief Executive Officer of the Penrith Valley Economic Development Corporation, Jane set up the framework for the Corporation with six industry task groups which have undertaken major successful projects to support and enhance economic development in the Penrith Valley. The Corporation, in less than four years, gained international accolades for its uniqueness and speed in developing a Telecommunications Strategy and setting up a successful IT Network in Penrith; developing a home based business network which has become a model for other networks in NSW, gaining the contract for the Western Sydney Innovation Service which now services Western Sydney and Central Western NSW; and constructing a \$600,000 Visitor Information Centre by marshalling the support of the Penrith business sector. While continuing to come up with original concepts to advance business in Penrith, Jane is also progressing her Master of Marketing at the University of Technology Sydney.

Extracts from Jane's Power Point Presentation are shown below:



Local Government Economic Development Conference
Presentation 16 Nov 2006

Penrith – An Overview

- 55kms West of Sydney CBD
- Population 183,000
- GDP \$4.2 Billion (\$1.83 Billion – Exports)
- Workforce 91,000 (approx)
- Major Industries:
Property & Business Services/
Manufacturing/Retail Trade/Health &
Community

Penrith Valley Economic Development Corporation



Local Government Economic Development Conference
Presentation 16 Nov 2006

PVEDC Events/Functions

- Western Sydney IT Forum
- CEO Dinners
- World's Biggest Kayak Cake
- Exporters/Importers "Tricks of the Trade" Series
- Networking - Speed Dating for Business

Penrith Valley Economic Development Corporation



Local Government Economic Development Conference
Presentation 16 Nov 2006

PVEDC - Partnerships

- NSW TAFE – Western Sydney Institute
- University of Western Sydney
- Nepean High School – "No Dole Agreement"

Penrith Valley Economic Development Corporation



Local Government Economic Development Conference
Presentation 16 Nov 2006

PVEDC Key Factors for Success

- Connectivity
- Communication
- Partnerships/Alliances
- A Numbers Game

Penrith Valley Economic Development Corporation



Local Government Economic Development Conference
Presentation 16 Nov 2006

Strategies for Business Attraction

- Distinctiveness/Image
- Site Location – Key Requirements
- The Business Case – “Return on Investment”
- Attracting the Businesses – YOU want and need
- Marketing/Promotion

Penrith Valley Economic Development Corporation

Launceston City Council's Riveredge: Revitalising the Tamar River and its Tourism Precinct through Government and Private Sector Investment

Ian Abernethy - Group Manager Sustainability, Launceston City Council

Ian Abernethy is the Group Manager Sustainability with the Launceston City Council - looking after the areas of Planning, Building, Environmental Services, Parks, Urban Design, Community Development and Economic Development.

Under Ian's guidance many of the programmes undertaken in the Sustainability Division have been recognised with innovation awards at the State and National level. One of Ian's most significant projects is the development of the Green Tea and Wasabi industries in NE Victoria, partnering with Federal, State and Local Governments as well as a major Japanese investor.

Summary:

This was a very interesting presentation, which highlighted a masterplan approach of "returning the river to the people and the people to the river". The City of Launceston's flood ways previously provided a major physical barrier between the urban and natural parts of the river. The City of Launceston commenced initiatives to link the urban area to the river and also to re-use previously vacant and derelict heritage buildings, for example, Boag Brewery is now housed in a three-storey former hotel, the former Customs House is being converted to commercial use. This presentation demonstrated the need for a City vision to embrace all aspects of the local government, with the emphasis to promote revitalisation and economic development.

Sutherland Shire Council's Economic Development Model: A Localised Pragmatic Approach

Derril Greenway - Director Property, Sutherland Shire Council

Derril has been Director Property at Sutherland Shire Council since 1989. His responsibilities include commercial and community property, sales and purchases, major land holdings development, Native Title issues, plans of management, property management, project management, major projects, building management - maintenance, construction, energy audits, economic development, business accelerator and tourism.

Prior to joining Sutherland Shire Council, Derril held senior project management roles with the Department of State and Regional Development, the Darling Harbour Authority and the Department of Mineral Resources.

Extracts from Derril's Power Point Presentation are shown below:

Sutherland Shire

set the scene
Population
220,000 ...

labour force
106,000

65,000 leave
every morning





commercial
23,000
registered
businesses

75% employ <
5 people

3 Major
Employment
zones

9 Major Retail
Precincts

Connect, Integrate and Accelerate

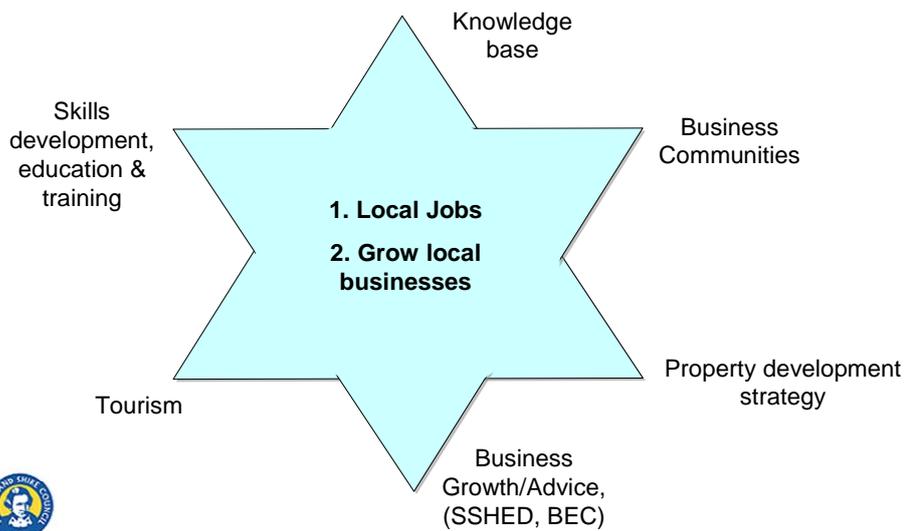
Foundations – get them right!

- 1997 Economic Development Committee
- 1999 “Shape the Shire”
- 2000 Economic Development Plan
 - living document
- Collaboration and communication
 - business community
 - residents
- Research your market
- Build database



Connect, Integrate and Accelerate

Six Point Plan



Knowledge Base

- Who, what and where are our businesses?
- Target sectors of the market
- Identify precincts (place & activity)
- Understand their requirements
- Business communities
- Networking



Connect, Integrate and Accelerate

Role of the Economic Development Managers (Outcomes of the Victorian EDAV Survey)

Steve Chapple - Board Member Economic Development Association of Victoria and Director Community Living and Development, Baw Baw Shire

Stephen is the Director Community Living and Development for Baw Baw Shire Council. He has held this position for the past three years. This diverse role includes responsibility for economic development, strategic and statutory planning, tourism, marketing, regulatory services (local laws, building & environmental health), recreation and community development services, cultural development, community services (including HACC & disability services) maternal child and family health, and the West Gippsland Arts Centre.

Steve has almost twenty years practical experience in working with local and regional communities and businesses.

Extracts from Steve's Power Point Presentation for Local Government Economic Development are shown below:

Survey snapshot

- 80 respondents (primarily eco dev practitioners)
- 56% males & 44% females
- 77% of respondents employed in local government
- 90% of responses were completed on-line
- 4 parts to the survey
 - General professional information about the practitioner
 - Their existing core competencies
 - Developing their core competencies
 - General information about their place of work & Eco Dev service

 bawbawshire.vic.gov.au

Survey respondent profile

- 60% of respondents had been in the profession for less than 6 years
- 32% in the profession less than 3 years
- 48% had been employed in at least 3 other occupations prior to their current ED role
- 25% of respondents had worked in both the public and private sector

 bawbawshire.vic.gov.au

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Council's Policy 4.1.15 - *"Conferences & Training - Attendance, Representation, Travel & Accommodation Expenses and Related Matters"* - Clause 1.1 (i) states;

- "(i) When it is considered desirable that the Council be represented at an interstate conference, up to a maximum of one Elected Member and one Officer may attend;
- (ii) In certain circumstances (for example where the Conference is of a technical nature) and where an Elected Member is not attending the CEO may recommend that two (2) officers attend, in lieu of the Elected Member. In this instance, the CEO will specify reasons in the report to the Council."

Clause 5.0 states;

- "5.1 Following attendance at State conferences, congresses, study tours and any seminars, forums, workshops of two (2) days or more duration, the attendees shall submit a report to the Council within thirty days of their return to Perth, for the Council's information and records. The report shall include a summary of the event's proceedings, major points of interest to the Town and recommendation as to whether attendance at similar conferences is warranted.
- 5.2 All Conference Papers are the property of the Town and are also to be placed in the Town's Library so that they are accessible by the public."

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area Four of Strategic Plan 2006-2011 - Objective 4 - "Leadership, Governance and Management", in particular, 4.2.2 - "Improve employee performance recognition reward", 4.2.2(c) - "Maintain the structured employee training and development plan".

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

Attendance at Previous Conferences

The Town had not previously attended this conference.

COMMENTS:

The Conference provided a diverse and interesting range of speakers, ranging from large Capital City local governments to small regional local governments.

It also provided an excellent opportunity to speak to other officers including Economic Development Practitioners and Chief Executive Officers who have delivered successful projects.

Attendance at this Conference provided considerable information about local government economic development throughout Australia and this will be very useful to the Town, as it progresses the Leederville Masterplan.

**10.4.6 Minutes of the Annual General Meeting of Electors held on
11 December 2006**

Ward:	Both	Date:	12 December 2006
Precinct:	All	File Ref:	ADM0009
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES and CONFIRMS** the Minutes of the Annual General Meeting of Electors held at 6.00pm on Monday 11 December 2006, attached at Appendix 10.4.6; and
- (ii) **NOTES** that a further report will be submitted to the Council in early 2007 concerning the motions carried at the Meeting.

COUNCIL DECISION ITEM 10.4.6

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive and confirm the Minutes of Annual General Meeting of Electors held on 11 December 2006.

BACKGROUND:

The Annual General Meeting of Electors of the Town of Vincent was held on Monday 11 December 2006 at 6.00pm. It was attended by five (5) Electors, as shown in the Attendance Register attached to the Minutes.

DETAILS:

It is standard practice for the Minutes of the Meeting of Electors to be presented to the Council for information. Under the Local Government Act 1995, Section 5.33, all decisions taken at Electors Meetings are required to be considered at the next Ordinary Meeting of the Council.

The Minutes are attached for the information of the Council. The following decisions were taken at that meeting.

1. Moved Marie Slyth, Seconded Colin Scott

That the Council investigate and consider the placing of a monthly advertisement in a local newspaper advising of the benefits of local Precinct Groups and also encouraging residents to participate.

CARRIED UNANIMOUSLY

CEO's Comment:

The Town's Public Relations Officer will investigate the costs with the two local papers. Once this information is received it will be reported to the Council.

2. Moved Marie Slyth, Seconded Brian Fleay

That the Town investigate the preserving of single storey heritage streetscapes within the Town.

CARRIED UNANIMOUSLY

CEO's Comment:

The Town's administration will investigate this matter as part of its ongoing work relating to the review of the Town Planning Scheme, Municipal Heritage Inventory and various Planning and Development policies.

3. Moved, Colin Scott Seconded Marie Slyth

That the Town investigate the costs for placing advertisements in local newspapers on a regular basis and/or a combination together with the Town's quarterly newsletter, in order to better inform the community of issues which are occurring.

CARRIED UNANIMOUSLY

CEO's Comment:

The Town's Public Relations Officer will investigate the costs with the two local papers. Once this information is received it will be reported to the Council.

4. Moved, Colin Scott Seconded Brian Fleay

That the Town's Mayor, Councillors, CEO and Officers be publicly thanked for their work and contribution to the Town of Vincent.

CARRIED UNANIMOUSLY

CEO's Comment:

This is acknowledged and feedback is much appreciated.

CONSULTATION/ADVERTISING:

Notice of the Annual General Meeting of Electors was advertised in a local newspaper (*"Guardian Express"*) and *"The West Australian"* Newspaper. Notices were displayed on all notice boards. It was also displayed on the Town's website.

The Minutes are attached for the information of the Council.

LEGAL/POLICY:

The Local Government Act 1995 states;

"5.27 (1) A general meeting of the electors of a district is to be held once every financial year.

(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year."

"5.33 (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable -

(a) at the first ordinary meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting."

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil at this stage. Once the various matters have been investigated, indicative costs will be known.

COMMENTS:

The various matters raised at the Annual General Meeting of Electors will be progressed and appropriate reports will be submitted to the Council.

10.4.7 Change to the composition of the Safer Vincent Crime Prevention Partnership

Ward:	Both	Date:	12 December 2006
Precinct:	All	File Ref:	ENS0095
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY:

- (i) *to amend the Terms of Reference and Composition of the Safer Vincent Crime Prevention Partnership to allow up to seven (7) Community Representatives; and*
- (ii) *the appointment of the following people, as members of the Safer Vincent Crime Prevention Partnership, until new nominations are called for in mid 2007;*
 - *Sharan Kraemer;*
 - *Donna Cole;*
 - *Jim Dagostino; and*
 - *Suresh Rajan.*

The Chief Executive Officer advised that this Item did not require an “*Absolute Majority*”.

COUNCIL DECISION ITEM 10.4.7

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

To increase the community representation on the Safer Vincent Crime Prevention Partnership.

BACKGROUND:

At the Ordinary Meeting of Council held on 27 July 2004, the Council approved the Terms of Reference for the Safer Vincent Crime Prevention Partnership to include a maximum of seven (7) Community Representatives as members of the Partnership. In Part, the report stated the following:

- (vi) *APPROVES the discontinuation of the Safer Vincent Advisory Group (as it is replaced by the Safer Vincent Crime Prevention Partnership);*
- (vii) *AUTHORISES the Chief Executive Officer to advertise for community representatives for the Safer Vincent Crime Prevention Partnership; and*

- (viii) *acknowledges the work of the current members of the Safer Vincent Advisory Group and invites them to apply for the new Safer Vincent Crime Prevention Partnership."*

"TERMS OF REFERENCE AND COMPOSITION:

SAFER VINCENT CRIME PREVENTION PARTNERSHIP

1. MEMBERSHIP

The membership of the Safer Vincent Community Crime Prevention Partnership comprises:

1.1 Three Elected Members

*Mayor (Chair)
Two Elected Members*

1.2 Seven Community Representatives

Having a knowledge and interest in the safety and security issues within the Town of Vincent and able to represent the various ethnic communities in the Town, Precinct Groups, resident and business interests and providing a geographic spread from across the Town.

1.3 Council Staff

*Manager, Law and Order Services
Safer Vincent Coordinator*

1.4 Police

*Officer in Charge, Leederville Police Station
Officer in Charge, Perth Police Station"*

The Town called for nominations for membership of the Partnership, but only 3 applications were received. It was decided that, while not an ideal number, the Partnership could operate with only 3 community representatives and further nominees could be canvassed in the future.

In late 2005, nominations were again called for, but only 4 applicants returned their nomination forms. At the Ordinary Meeting of Council held on 13 September 2005, the Council approved the reduction of community membership numbers, to five (5), which was two people less than had been previously approved. The following approval was given:

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES BY AN ABSOLUTE MAJORITY to amend the current Terms of Reference for all of the Town's Advisory Groups to allow "up to 5" community representatives;*
- (ii) *APPOINTS the following community representatives to the Town's Advisory Groups for the 2005-2007 period from the nominations received;*
- (e) *Safer Vincent Crime Prevention Partnership (up to 5 required)*
- 1. Ms Betty Kraemer;**
 - 2. Ms Helen Pemberton;*
 - 3. Ms Margaret Reid-Watson; and*
 - 4. Mr Ray Stevenson;**

DETAILS:

The Safer Vincent Crime Prevention Partnership deals with crime prevention and community safety and security, in the whole Town and the Town of Vincent Safety Plan needs to encompass a diverse range of groups, including the aged, youth, ethnic groups, indigenous groups, businesses, residents and ratepayers.

The Safety Plan has been developed in consultation with all of the above groups and with input from WA Police, Department of Community Development, Office of Crime Prevention and many other State Government Agencies.

However, with the current number of community representatives on the Partnership, it has proved difficult to maintain the breadth of the scope necessary for the group to be successful. Five (5) applications, to participate in the Partnership, were recently received and, at the Safer Vincent Crime Prevention Partnership Meeting, on 6 December 2006, it was resolved to seek approval from the Council to expand the number of "Community Representatives" to the original number, of seven (7).

Because the Safety Plans must encompass safety and security for seniors, youth, business, ethnic and indigenous communities, residents ratepayers and visitors to the Town, it would assist, if there could be representation from these areas. There is current representation from Seniors and residents/ratepayers and it would be more effective, if there could be membership to represent youth, business, ethnic and indigenous groups.

CONSULTATION/ADVERTISING:

There is no need to advertise the proposed change to the composition of the Safer Vincent Crime Prevention Partnership.

LEGAL/POLICY:

There are no legal implications associated with this report.

STRATEGIC IMPLICATIONS:

This recommendation would support Item 3.1.2(d) of the Plan for the Future 2006 - 2011, "*Provide and develop a range of community programmes and community safety initiatives*".

FINANCIAL/BUDGET IMPLICATIONS:

Apart from advertising costs, there will be no costs associated with the above recommendations.

COMMENTS:

The Safer Vincent Crime Prevention Partnership deals with a wide variety of community safety and security issues, with the current composition proving to be restrictive and the initiatives have tended to adopt a narrow focus. For the Partnership to have input from all sections of the community, including Seniors, youth, business, etc, it was resolved at the last meeting that the group would seek Council approval to expand the community membership to seven (7).

10.4.10 Information Bulletin

Ward:	-	Date:	13 December 2006
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	A Smith		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 19 December 2006, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.10

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

DETAILS:

The items included in the Information Bulletin dated 19 December 2006 are as follows:

ITEM	DESCRIPTION
IB01	Local Government Advisory Board – Inquiry into Proposals for Changes to the District Boundary of the Town of Vincent
IB02	Minister for Local Government and Regional Development – Prostitution Law Reform
IB03	Minister for Local Government and Regional Development – Local Government Amendment Bill 2006
IB04	Office of Crime Prevention – Town of Vincent Community Safety and Crime Prevention Plan
IB05	Australian Government Water Fund - Community Water Grants – Australian Government Community Water Grant
IB06	Highgate Primary School – Student Citizenship Awards – Letter of Thanks
IB07	Mt Hawthorn Primary School – Mt Hawthorn Primary School Open Day – Letter of Thanks
IB08	Health Act 1911 (Health (Section 112(2) Prohibition) Regulations 2006 – Letter from Dr Andrew Robertson, Executive Director Public Health
IB09	No. 42 (Lot 255) Guildford Road, Mount Lawley – Demolition of Existing Single House. Letter from Rob Giles, Chief of Staff to the Minister for Planning and Infrastructure.
IB10	Krygsman & Anor v Town of Vincent – Letter from the State Administrative Tribunal attaching orders made on 24 November 2006. PRO1646 (DR 313 of 2006).

10.1.3 No. 11 and 13 (Lots 37 & 36 D/P: 1210) Byron Street, Leederville - Proposed Demolition of Existing Two (2) Single Houses and Construction of Four (4) Two (2) Storey Plus Loft Grouped Dwellings

Ward:	North	Date:	12 December 2006
Precinct:	Leederville; P03	File Ref:	PRO1437; 5.2006.426.1
Attachments:	001		
Reporting Officer(s):	B McKean		
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, the Council APPROVES the application submitted by Anthony Michael on behalf of the owner V & H Evangel for proposed Demolition of Existing Two (2) Single Houses at Nos. 11 and 13 (Lots 37 & 36 D/P: 1210) Byron Street, Leederville, and as shown on plans stamp-dated 14 September 2006, subject to the following conditions:*
 - (a) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
 - (b) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (c) *a development proposal for the redevelopment of the subject property shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (d) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
 - (e) *demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No.1 and associated Policies for the retention of existing dwellings valued by the community; and*
 - (f) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No.1 and associated Policies; and*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Anthony Michael on behalf of the owner V & H Evangel for proposed Construction of Four (4) Two (2) Plus Loft Storey Grouped Dwellings, at Nos. 11 and 13 (Lots 37 & 36 D/P: 1210) Byron Street, Leederville, and as shown on plans stamp-dated 1 December 2006, for the following reasons:*
 - (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
 - (b) *the non-compliance with the crossover requirements of the Town's Policy relating to 'Vehicular Access'.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Lake

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

“(ii) (c) the non-compliance with the street setback requirements for established streetscapes as per the Town’s Policy 3.2.4 relating to Street Setbacks.”

Debate ensued.

AMENDMENT CARRIED (6-3)

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

The Presiding Member ruled that the Item would be considered in two parts.

Clause (i) was put.

CLAUSE (i) CARRIED (9-0)

Clause (ii) as amended was put.

CLAUSE (ii) CARRIED AS AMENDED (7-2)

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

COUNCIL DECISION ITEM 10.1.3

That;

(i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Anthony Michael on behalf of the owner V & H Evangel for proposed Demolition of Existing Two (2) Single Houses at Nos. 11 and 13 (Lots 37 & 36 D/P: 1210) Byron Street, Leederville, and as shown on plans stamp-dated 14 September 2006, subject to the following conditions:*

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

- (b) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (c) *a development proposal for the redevelopment of the subject property shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (d) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
 - (e) *demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No.1 and associated Policies for the retention of existing dwellings valued by the community; and*
 - (f) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No.1 and associated Policies; and*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Anthony Michael on behalf of the owner V & H Evangel for proposed Construction of Four (4) Two (2) Plus Loft Storey Grouped Dwellings, at Nos. 11 and 13 (Lots 37 & 36 D/P: 1210) Byron Street, Leederville, and as shown on plans stamp-dated 1 December 2006, for the following reasons:*
- (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (b) *the non-compliance with the crossover requirements of the Town's Policy relating to 'Vehicular Access'; and*
 - (c) *the non-compliance with the street setback requirements for established streetscapes as per the Town's Policy 3.2.4 relating to Street Setbacks.*

Landowner:	V & H Evangel
Applicant:	Anthony Michael
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Two (2) Single Houses
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	1214 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves demolition of existing two (2) single houses and construction of four (4) two (2) storey grouped dwellings.

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

ASSESSMENT:

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

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	4 dwellings R30	4 dwellings R30	Noted - no variation.
Plot Ratio	N/A	N/A	Noted.
Setbacks: Ground Floor- South Unit 3	1.5 metres	1.02 metres - 1.52 metres	Supported - not considered to have an undue impact on affected neighbouring property.
North Unit 4	1.5 metres	1.02 metres - 1.52 metres	Supported - as above.
Upper Floor- East (Street Setback) Unit 1 Balcony	6 metres	5.011 metres to Balcony	Supported - not considered to have an undue impact on the streetscape or surrounding amenity.
Unit 2 Balcony	6 metres	5.039 metres	Supported - not considered to have an undue impact on the streetscape or surrounding amenity.
South Unit 1	3.9 metres	1.52 metres - 2.1 metres	Supported - not considered to have an undue impact on affected neighbouring property.
Unit 3	4.2 metres	1.52 metres - 2.02 metres	Supported - as above.
West Units 4 and 3	5.5 metres	4.686 metres - 4.724 metres - 6 metres	Supported - as above.

North Unit 4	3.9 metres	1.52 metres - 2.02 metres	Supported - as above.
Unit 2	4.2 metres	1.52 metres - 2.1 metres	Supported - as above.
Loft-South Unit 1	3.3 metres	3 metres – 4.5 metres	Supported - as above.
North Unit 2	3.5 metres	3 metres – 4.5 metres	Supported - as above.
Building on Boundary	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	Two boundary walls (north and south boundary walls are compliant in terms of height and length).	Supported - boundary walls are compliant with the R Codes in terms of height and length and are not considered to have an undue impact on affected neighbouring properties.
Building Height: <u>Wall Height- West -Rear Elevation</u>	6 metres	5.9 metres - 6.3 metres	Supported - the gable wall is setback 6 metres from the western property boundary and is therefore not considered to have an undue impact on affected neighbouring property.
<u>Roof Pitch Height- West Unit 3</u>	<u>9 metres</u>	<u>9.179 metres</u>	<u>Supported - variation is considered minor, is the result of a sloping site, is setback 6 metres from the western property boundary and is therefore not considered to have an undue impact on affected neighbouring property.</u>
<u>South Unit 3</u>	<u>9 metres</u>	<u>9.179 metres</u>	<u>Supported - variation is considered minor, is the result of a sloping site and is not considered to have an undue impact on affected neighbouring property.</u>

Essential Facilities: Stores Unit 3	Minimum dimension of 1.5 metres	1 metre by 6.35 metres	Supported - the proposed store size is considered adequate for the needs of the occupant/owner and would not detract from the amenity of the locality.
Unit 4	As above.	As above.	Supported - as above.
Vehicular Access	Not more than one crossover to any one property with a frontage less than 25 metres.	Three crossovers	Not supported - refer to 'Comments'.
Consultation Submissions			
Support	Nil		Noted
Objection (1)	<ul style="list-style-type: none"> Objects to the proposal. 		Supported in part - the above variations are generally supported except for vehicle access. Please refer to 'Comments'.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Vehicular Access

The Council at its Ordinary Meeting held on 22 August 2006 conditionally approved an application for demolition of existing single house and construction of four (4) two-storey grouped dwellings, at Nos. 8 - 10 (Lots 46 & 47 D/P: 1210) Byron Street, Leederville subject to condition (viii) (b) which states as follows:

"(viii) (b) the garages for Units 1 and 2 being located behind the main building, and vehicular access to all four (4) dwellings being from a single shared driveway; and".

The Town's Officers have not generally applied A1.3 of the Town's Vehicular Access Policy, which states *"not more than one crossover to any one property with a frontage less than 25 metres"*; however, in light of the above Council decision, the application is recommended for refusal as the development proposes three crossovers on the lot which has a frontage of 24.14 metres.

Demolition

No. 11 Byron Street, Leederville

The brick and tile dwelling at No.11 Byron Street, Leederville was constructed circa 1951, in the Post-war Bungalow style of architecture for a Mr J Anderson. The dwelling contributes a relatively intact streetscape with all the dwellings being consistent in terms of setback and proportion ranging from Federation Arts and Crafts to Post-war Bungalows.

The modest dwelling has a two room street frontage with a side entry and a hipped roof form. The façade features two double hung window arrangements, with concrete awnings above, which are supported by stepped brackets. The façade and northern elevation is face brick to sill height with render above, whilst the remaining dwelling is face brick. As seen from photographs submitted by the applicant, some original internal features remain, such as leadlight windows and ceilings roses.

However, whilst these are of interest, it is not considered that they alone justify the retention of the house or qualify the place for consideration for entrance into the Town's Municipal Heritage Inventory.

The subject property is not listed on the Town's Municipal Heritage Inventory and is not considered to have any specific cultural heritage value that would make it eligible for consideration for inclusion onto the Inventory. The dwelling is considered to require no further investigation and that a full Heritage Assessment is not warranted. Therefore, it is recommended that the application to demolish the place be approved, subject to a quality archival record and other standard conditions.

No. 13 Byron Street, Leederville

The brick and tile dwelling at No.13 Byron Street, Leederville was constructed circa 1929, in the Inter-war Bungalow style of architecture for Mr William Wilkins who resided in the place until at least 1949.

The dwelling with a rendered single room frontage features an aluminium sliding window, with tile awning above and timber battening to the gable end. The City of Perth Building Licence plans show that in 1948 the front verandah was enclosed with louvers and fibro sheeting to form a sleep out. The dwelling contributes to a relatively intact streetscape with all the dwellings being consistent in terms of setback and proportion ranging from Federation Arts and Crafts to Post-war Bungalows.

The subject property is not listed on the Town's Municipal Heritage Inventory and it is not considered to have any specific cultural heritage value that would make it eligible for consideration for inclusion onto the Inventory. The dwelling is considered to require no further investigation and that a full Heritage Assessment is not warranted. Therefore, it is recommended that the application to demolish the place be approved, subject to a quality archival record and other standard conditions.

Summary

In light of the above, the proposed demolition is recommended for approval subject to standard conditions, while the proposed redevelopment is recommended for refusal.

10.2.1 Proposed William Street Streetscape Upgrade, Brisbane to Newcastle Streets, Perth - Approval and Progress Report No. 4

Ward:	South	Date:	12 December 2006
Precinct:	Beaufort P13	File Ref:	TES0473
Attachments:	001		
Reporting Officer(s):	R Lotznicker, J van den Bok, C Wilson		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** Progress Report No 4 on the Proposed William Street Streetscape Upgrade - Brisbane to Newcastle Streets, Perth, as at 12 December 2006;
- (ii) **APPROVES;**
 - (a) *the implementation of the William Street Upgrade project as shown on updated Plans Nos 2374-DP-01 to 2374-DP-04 and 2374-LM-01 (these supersede Plans Nos 2374-CP-05 and 2374-CP-05A) [attached at Appendix 10.2.1] at an estimated to cost of \$1,346,500;*
 - (b) *the Town's light fitting to be selected from Western Power's "Street Vision" range and notes that the Town's preferred model is the "Parkerville" fitting, powder coated ebony colour (as this is in accordance with the Town's policy for street light fittings);*
 - (c) *the planting of London Plane tree species in William Street (to achieve a more uniform streetscape); and*
 - (d) *the planting of two mature date palms on the west side of William Street adjacent to the Perth Mosque (to provide a landmark feature);*
- (iii) **NOTES** that;
 - (a) *the majority of respondents were either in favour or partially in favour of the proposal as outlined on updated Plan Nos 2374-DP-01 to 2374-DP-04 and 2374-LM-01;*
 - (b) *while a considerable number of respondents, not directly affected by the proposal, indicated that the Town should choose an alternative tree species for the upgrade project, it is considered that for the, very detailed, reasons outlined in the report, the London Plane tree is the preferred tree species for William Street as it is less problematic, more resilient, has proven low water and nutrient requirements, lends itself to formative pruning, is reasonably fast growing with a long life expectancy, is sturdy in the face of continual vandalism in a harsh urban street environment, can be readily sourced in a large size and will provide a uniform soft landscape theme for William Street beyond the Town's current boundary;*
 - (c) *Notwithstanding clause (b) above, the Town has planted, and will continue to plant, suitable native trees and exotic trees in streetscapes determined on a case by case basis and has previously planted, and will continue to plant, a large number of native trees in its parks and reserves on an annual basis;*

- (d) *the project has effectively already commenced as, in accordance with the Council decision at its Ordinary Meeting held on 22 August 2006, an order has already been placed with Western Power for the undergrounding of power;*
- (iv) *AGAIN REQUESTS Main Roads WA to provide an undertaking that they will alter the coordination and phasing of the traffic signals as outlined in the traffic report commissioned by the East Perth Redevelopment Authority to optimise traffic flow along William Street, in particular during the morning peak period, and to incorporate bus priority signal phasing at intersections; and*
- (v) *ADVISES all respondents of its decision and thanks them for their input.*

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

Moved Cr Torre, Seconded Cr Maier

That clause (ii)(c) be deleted.

Debate ensued.

Cr Messina departed the Chamber at 7.25pm.
Cr Messina returned to the Chamber at 7.26pm.

Cr Torre departed the Chamber at 7.36pm.
Cr Torre returned to the Chamber at 7.37pm.

AMENDMENT LOST (3-6)

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

Debate ensued.

Moved Cr Chester, Seconded Cr Farrell

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

- “(ii) (a) *the implementation of the William Street Upgrade project as shown on updated Plans Nos 2374-DP-01 to 2374-DP-04 and 2374-LM-01 (these supersede Plans Nos 2374-CP-05 and 2374-CP-05A) [attached at Appendix 10.2.1] at an estimated to cost of \$1,346,500 subject to the delineation of the former wetland shoreline being included on the plans;”*

AMENDMENT CARRIED (9-0)

Debate ensued.

Moved Cr Lake, Seconded Cr Torre

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

“(ii) (e) *the Town’s officers to seek the advice of the Department of Water in regards to the design and ongoing maintenance of the proposed gross pollutant trap in order to maximise the removal of contaminants from the stormwater.*”

Debate ensued.

AMENDMENT CARRIED (9-0)

Debate ensued.

MOTION AS AMENDED CARRIED (8-1)

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

COUNCIL DECISION ITEM 10.2.1

That the Council;

- (i) ***RECEIVES Progress Report No 4 on the Proposed William Street Streetscape Upgrade - Brisbane to Newcastle Streets, Perth, as at 12 December 2006;***
- (ii) ***APPROVES;***
 - (a) *the implementation of the William Street Upgrade project as shown on updated Plans Nos 2374-DP-01 to 2374-DP-04 and 2374-LM-01 (these supersede Plans Nos 2374-CP-05 and 2374-CP-05A) [attached at Appendix 10.2.1] at an estimated to cost of \$1,346,500 subject to the delineation of the former wetland shoreline being included on the plans;*
 - (b) *the Town's light fitting to be selected from Western Power's "Street Vision" range and notes that the Town's preferred model is the "Parkerville" fitting, powder coated ebony colour (as this is in accordance with the Town's policy for street light fittings);*
 - (c) *the planting of London Plane tree species in William Street (to achieve a more uniform streetscape);*
 - (d) *the planting of two mature date palms on the west side of William Street adjacent to the Perth Mosque (to provide a landmark feature); and*
 - (e) *the Town’s officers to seek the advice of the Department of Water in regards to the design and ongoing maintenance of the proposed gross pollutant trap in order to maximise the removal of contaminants from the stormwater;*

(iii) *NOTES that;*

- (a) *the majority of respondents were either in favour or partially in favour of the proposal as outlined on updated Plan Nos 2374-DP-01 to 2374-DP-04 and 2374-LM-01;*
 - (b) *while a considerable number of respondents, not directly affected by the proposal, indicated that the Town should choose an alternative tree species for the upgrade project, it is considered that for the, very detailed, reasons outlined in the report, the London Plane tree is the preferred tree species for William Street as it is less problematic, more resilient, has proven low water and nutrient requirements, lends itself to formative pruning, is reasonably fast growing with a long life expectancy, is sturdy in the face of continual vandalism in a harsh urban street environment, can be readily sourced in a large size and will provide a uniform soft landscape theme for William Street beyond the Town's current boundary;*
 - (c) *Notwithstanding clause (b) above, the Town has planted, and will continue to plant, suitable native trees and exotic trees in streetscapes determined on a case by case basis and has previously planted, and will continue to plant, a large number of native trees in its parks and reserves on an annual basis;*
 - (d) *the project has effectively already commenced as, in accordance with the Council decision at its Ordinary Meeting held on 22 August 2006, an order has already been placed with Western Power for the undergrounding of power;*
 - (iv) *AGAIN REQUESTS Main Roads WA to provide an undertaking that they will alter the coordination and phasing of the traffic signals as outlined in the traffic report commissioned by the East Perth Redevelopment Authority to optimise traffic flow along William Street, in particular during the morning peak period, and to incorporate bus priority signal phasing at intersections; and*
 - (v) *ADVISES all respondents of its decision and thanks them for their input.*
-

PURPOSE OF REPORT:

The purpose of this report is to provide an update on the outcomes of the community consultation on the William Street Streetscape upgrade proposal and seek Council's final endorsement of the proposal.

BACKGROUND:

At its Ordinary Meeting held on 22 August 2006, Council was advised that the upgrade of William Street, south of Brisbane Street, had been under consideration since 1998 and a comprehensive chronological order of actions/events was presented. Following consideration of the report, the following decision was adopted.

"That the Council;

- (i) *RECEIVES Progress Report No 3 on the Proposed William Street Streetscape Upgrade - Brisbane to Newcastle Streets, Perth, as at 16 August 2006;*

- (ii) *APPROVES IN PRINCIPLE:*
- (a) *the William Street Upgrade project, as detailed in this report and as shown revised plans Nos. 2374-CP-05 and 2374-CP-05A (attached at Appendix 10.2.1) at an estimated to cost of \$1,346,500;*
 - (b) *the two lane proposal as shown on the revised concept plan No 2374-CP-05 with the lane marking to be 4.1m and 3.5m to accommodate cyclists as the Town's preferred option;*
 - (c) *the Town's light fitting to be selected from Western Power's "Street Vision" range and notes that the Town's preferred model is the "Parkerville" fitting, powder coated ebony colour (as this is in accordance with the Town's policy for street light fittings);*
 - (d) *the planting of London Plane tree species in William Street (subject to EPRA and the Perth City Council agreeing to this tree species) to achieve a more uniform streetscape; and*
 - (e) *the planting of two mature date palms on the west side of William Street adjacent to the Perth Mosque (to provide a landmark feature) as depicted in plans at Appendix 10.2.1;*
- (iii) *APPROVES the quotation from Western Power for the undergrounding of power in the affected section of William Street at the quoted price of \$435,680 (excl GST) and NOTES that this quotation is only valid until the end of August 2006 and if not accepted by the Town, a revised quotation will need to be obtained which may result in a further cost increase;*
- (iv) *AUTHORISES the Chief Executive Officer to;*
- (a) *subject to clause (iii) above being approved, immediately place an order with Western Power for the undergrounding of power in William Street;*
 - (b) *enter into a Financial Assistance Agreement with the Department of Finance and Treasury for the committed \$250,000 once the Council has given its final approval for the project;*
 - (c) *request the State Government to contribute an additional \$70,000 towards the William Street Upgrade project given the increase in costs associated with the undergrounding of power;*
 - (d) *in liaison with the Mayor and Executive Manager Technical Services, to make minor "non-material" changes to the concept plans as a result of matters which may arise during the public consultation period and/or of a technical or infrastructure improvement;*
 - (e) *advertise the proposal for public comment for a period of twenty one (21) days, in accordance with Council Policy No. 4.1.21 "Community Consultation", inviting written submissions, and as a part of the consultation process, holds a public meeting and invites all relevant stakeholders, businesses and community groups;*

- (v) *NOTES that:*
- (a) *Main Roads WA have advised that they support the Town's proposal to reduce William Street to 'two lanes' with embayed parking and support lower speed limits in areas of high pedestrian activity, and have agreed 'in principle' to a reduced speed limit of 50kph along William Street between Brisbane and Newcastle Streets when the streetscape upgrade has been completed;*
 - (b) *The Traffic Engineers engaged by the East Perth Redevelopment Authority concluded that the preferred upgrade plan would result in a marginally better traffic situation for than presently exists, provided that:*
 - *Traffic signal linking were optimised*
 - *Phase times were reduced to a maximum of two minutes; and*
 - *A consistent treatment (in terms of capacity) would be implemented along the entire length of William Street, in order to remove the bottleneck point that currently exists at the southern end of the Horseshoe Bridge;*
 - (c) *the East Perth Redevelopment Authority does not consider that a third traffic lane for buses along William Street would be necessary, however, before providing a response to the Public Transport Authority, it is seeking comment and support from both the City of Perth and Town of Vincent on this position;*
- (vi) *REQUESTS Main Roads WA to provide an undertaking to ALL stake holders including the East Perth Redevelopment Authority, Public Transport Authority, City of Perth and the Town that they will alter the coordination and phasing of the traffic signals as outlined in the traffic report commissioned by the East Perth Redevelopment Authority (as laid on the table) to optimise traffic flow along William Street, in particular during the morning peak period and to incorporate bus priority signal phasing at intersections;*
- (vii) *ADVISES the East Perth Redevelopment Authority, City of Perth, Public Transport Authority and Main Roads WA of its decision and invites them to submit their comments as part of the Town's formal consultation process;*
- (viii) *RECEIVES a further report at the conclusion of the consultation period to consider the submissions received; and*
- (ix) *REQUESTS that a report be presented to Council giving the details and status of the Public Art Project associated with the William Street Upgrade."*

DETAILS:

The William Street Upgrade project as detailed in the report was presented to the Council in August 2006 as shown on attached Plans Nos. 2374-CP-05 and 2374-CP-05A (now superseded by Plan Nos 2374-DP-01 to 2374-DP-04 and 2374-LM-01).

Some of the key elements of the proposal as discussed by the Council are:

- The two lane one way proposal with the lane marking to be 4.1m and 3.5m to accommodate cyclists as the Town's preferred option
- The Town's light fitting to be selected from Western Power's "Street Vision" range and the preferred model is the "Parkerville" fitting, powder coated ebony colour
- The London Plane tree is the preferred species for William Street to achieve a more uniform streetscape (*subject to EPRA and the Perth City Council agreeing to this tree species*)

- The planting of two mature date palms on the west side of William Street adjacent to the Perth Mosque (to provide a landmark feature)

Formal Consultation

In accordance with the Council's decision of 22 August 2006, on 29 August 2006 122 letters were distributed/mailed to owner/occupiers including residents and business proprietors in William Street.

A letter was also sent to Main Roads WA (MRWA), the Perth Transport Authority (PTA), East Perth Redevelopment Authority (EPRA), City of Perth (COP) and the Hyde Park Precinct Group (HPPG).

A number of respondents also copied the comments sheet from the Town's web site and other respondents from various parts of the Town sent in a letter.

In accordance with the Council's decision of 22 August 2006, a public meeting was held on 28 September 2006 at the Town's Administration and Civic centre attended by thirteen (13) members of the public, the Mayor, two (2) Elected Members and three (3) Town officers.

Further, the public consultation period was subsequently extended until 6 October 2006 with comment sheets and reply paid envelopes distributed on the night. As a result, an additional five (5) responses were received, by the end of the consultation period, as follows.

Following the public meeting a further ten (10) responses were received from persons not directly affected by the proposed works, who did not generally comment on the overall upgrade proposal but indicated they wanted native plantings for a number of reasons.

Therefore, the total number of submissions received where thirty six (36) as follows:

- 16 - In favour
- 2 - Partially in favour
- 5 - Against
- 13 - Expressed a preference for native plantings

A brief summary of the comments received is attached at the end of this report (appendix 10.2.1).

Officers' Comments - *In Favour*

Where possible and appropriate, the suggestions made will be incorporated in the project.

Officers' Comments - *Partially In Favour*

Where possible and appropriate the suggestions made will be incorporated in the project. The suggested reduction in posted speed will be progressed and full liaison with the other stakeholders has, and will occur. The respondents will be advised of this.

Officers' Comments - *Against the proposal*

Responses were varied, however, the main concerns were reduction of parking bays, traffic congestion, room for cyclists.

The design will ensure that there is minimal loss of parking, however, there will be a slight reduction given the proposed slip lanes at Newcastle Street and the trees. As previously reported to the Council, Traffic Engineers engaged by the East Perth Redevelopment Authority concluded that the preferred upgrade plan would result in a marginally better traffic situation than presently exists, provided that:

- Traffic signal linking would be optimised
- Phase times were reduced to a maximum of two minutes; and
- A consistent treatment would be implemented along the entire length of William Street.

In addition, the lane widths have been modified, i.e. the eastern lane will be 4.10m wide and the western lane will be 3.50m wide.

Officers' Comments - Tree selection

As previously reported to the Council, the Town's officers initially recommended the planting of Chinese Elms, however, based on the suggestion by both *EPRA and the City of Perth* for a consistent theme for William Street, officers from the three authorities over several meetings discussed several other possible tree species for the proposal.

The City of Perth has advised it will soon be planting London Plane trees in the southern section of William Street and is keen to see the same species used all the way up William Street, through Northbridge. The City of Perth further advised that it is committed to the creation of a liveable, sustainable and attractive urban environment and that trees within the city have a vital part to play in this and that careful consideration is given to the selection of suitable tree species. The Town's officers agree with the City of Perth that the urban environment is a highly altered one, which makes the establishment of certain healthy trees difficult. The London Plane has a proven ability to not only withstand, but thrive under harsh 'built up' conditions.

Note: The City of Perth is acknowledged for providing the majority of the following comments which the Town's officers fully concur with:

The London Plane is very tolerant to root compaction, and of low levels of oxygen in the soil, is less problematic than many other species in regard to the lifting of paving and bitumen caused by tree roots, is very resilient and reliable during high wind conditions, has proven low water and nutrient requirements, lends itself to formative pruning, is reasonably fast growing with a long life expectancy and is sturdy in the face of continual vandalism.

While the value of planting local indigenous tree species is recognised, it is considered that in an urban context indigenous trees often fall short of most of the functional criteria outlined above. It is also considered that in terms of environmental suitability, native trees versus exotic trees must be seen as only part of much broader environmental design considerations.

From a sustainable design perspective, it is considered that the London Plane is effective in tempering the harsh urban micro-climates. The dense, broad canopy provides effective shade of buildings, footpaths and expanses of road, so essential given the intensity of heat and light over Perth's long summer months. The shade created by the London Plane Tree makes a considerable contribution to the reduction of heat absorption and radiation from asphalt and concrete, and reduces the amount of ultra-violet radiation and glare at street level. Furthermore, as it is deciduous, the London Plane allows for the penetration of winter sun and therefore the moderation of the immediate environment in the colder months. In addition, it allows for the evapo-transpiration of the broad leaves which provides an additional cooling effect of the air surrounding the trees and broad-leafed, deciduous trees are believed to be more effective in absorbing atmospheric pollutants than evergreen species.

If the street environment is made more comfortable and attractive for people, they are more likely to choose to cycle or walk rather than resort to air-conditioned cars. Eucalypts are simply not as effective in this regard. Given its attributes, it is evident why the London Plane is renowned as an urban tree, and hence has been used for hundreds of years in cities throughout the world.

It is acknowledged that no tree is 'ideal' and that there are particular problems associated with the London Plane in regard to its potential to induce allergic reactions in some people at a certain time of year. However, there are many species of trees and plants that are known to cause allergic reactions. It would be unrealistic for the Town to select from a reduced number of tree species, perhaps less suitable to the urban environment. A balanced approach is needed and the benefits to the general community need to be considered in the creation of a liveable, walkable and ultimately a sustainable city.

With regard to the issue of nutrient discharge into the stormwater system, as the London Plane leaf drop occurs at certain times of the year, this can be effectively dealt with through good management practices at these times, i.e. regular street sweeping and clearing of gross pollutant traps.

As previously mentioned, in accordance with the Council's decision, a letter was sent to Main Roads WA (MRWA), the East Perth Redevelopment Authority (EPRA) and the Public Transport Authority (PTA). The feedback received is outlined below.

City of Perth

In accordance with the Council's decision of 22 August 2006, the City of Perth were requested to comment on the current William Street upgrade proposal. An extract from their response is outlined below:

"The City of Perth notes the recent resolutions of Town of Vincent Council on 22 August 2006, and make the following comments:

- *Fully support the use of London Plane trees down the entire length of William Street, and support the occasional use of Date Palms for the architectural 'feature' planting.*
- *The City of Perth is disappointed that the Town of Vincent has opted to select a Western Power standard light pole. However, we are keen to continue discussion regarding the height and colour of poles to retain some sense of integration.*
- *The City of Perth supports the reduction of William Street to two wide traffic lanes (allowing for future two-way) and embayed parking.*

We note that there was no mention of potential two-way conversion in your Council Minutes. Would you please confirm the Town of Vincent's position on this issue and whether you are:

- *building sufficient robustness into your design that will allow this in the future; and*
- *intending to raise this issue during consultation with stakeholders.*

The William Street Design Team at the City of Perth looks forward to continued discussions with Town of Vincent over this important street to ensure that we maximise every opportunity to deliver a cohesive streetscape."

Further, the City of Perth requested comments from the Town on their proposal for William Street to revert to 'two way' in the future. A further response from the City of Perth was received in November 2006 as follows:

"Thank you for your comments regarding the upgrading of William Street and the proposal to convert the traffic movement back to two-way. At the Council Meeting held on 31 October 2006, the overall concept plan for street enhancement was adopted for construction. Although the Council reiterated a strong desire to also take this opportunity to re-introduce two-way traffic, it agreed to undertake further detailed work to address particular issues raised during the consultation period.

We are now entering the detailed design stage of the project with the view to commence works around April 2007 so that footpaths can be widened in time for the opening of the new MetroRail project later in the year. In addition, design staff will be consulting further with property owners who had specific access issues in respect to two-way traffic in William Street.

A broader issue was also raised during the consultation period, that being a concern regarding how the 'unilateral' conversion of William Street would affect the overall movement system within central Perth. The City has already undertaken traffic modelling regarding this issue, but intends to do further work in this area, and to make this information available in due course."

Officers Comments

The City of Perth has advised that it supports the Town's upgrade proposal including the London Plane tree and the two (2) traffic lanes, however, it would prefer that the Town used a non standard light pole. As per the Council decision, Western Power has already been given an order to commence the works using decorative poles from its standard range.

In addition, the City of Perth advised that as the future *conversion* of William Street to one lane in either direction would affect the overall movement system within central Perth. They intend to carry out further assessment to make this information available in due course.

East Perth Redevelopment Authority

In accordance with the Council's decision of 22 August 2006, EPRA were requested to comment on the current William Street upgrade proposal. An extract from their response is outlined below:

The East Perth Redevelopment Authority(EPRA) has been working with the Town of Vincent and the City of Perth in the interest of achieving a uniform streetscape outcome for William Street, given its position as one of the most important arterial roads and entry points to Perth city, and the positive benefits that the regeneration will bring to the area. This ongoing work has been in regard to selection of tree species, lighting, furniture, traffic management and other related issues for William Street. EPRA has been involved as it is the Planning Authority for the New Northbridge, Northbridge Link and Perth Cultural Centre project areas.

The proposed planting of London Plane Trees along William Street is acknowledged, as is the Town of Vincent and City of Perth's efforts to achieve a consistent streetscape design across municipal boundaries. It is also noted that the City of Perth and Town of Vincent are ultimately responsible for tree species selection in their respective areas.

Officers Comments

EPRA has advised that it supports the Town's upgrade proposal and that the City of Perth and Town of Vincent are ultimately responsible for tree species selection in their respective areas. Extensive meeting have been held with EPRA officers culminating in a meeting held on 30 January 2006, which included the Town's Chief Executive Officer, Mayor and officers together with the Chief Executive Officer from the City of Perth, Chief Executive Officer from EPRA, EPRA board member and Councillor from the City of Perth, to discuss the William Street proposal. The general consensus at the meeting was (in part) as follows:

- Two (2) lane option was the preferred option
- The Town should consider introducing a higher quality paving material eg urban
- Bus embayments should be incorporated in the design
- Tree species (London Plane) should be considered in partnership to achieve the best outcome

Public Transport Authority

In accordance with the Council's decision of 22 August 2006, the PTA were requested to comment on the current William Street upgrade proposal. No response had been received from the PTA at the time of writing this report.

Officer's Comments

Following extensive traffic modelling, the East Perth Redevelopment Authority did not consider that a third traffic lane for buses along William Street would be necessary.

Main Roads WA

In accordance with the Council's decision of 22 August 2006, MRWA were requested to comment on the current William Street upgrade proposal. An extract from their response is outlined below:

"The potential benefits of reducing William Street to two lanes with embayed parking are acknowledged by Main Roads.

Main Roads supports the proposal to reduce the speed limit to 50km/h, please submit the following documentation to Main Roads for assessment 3 months after construction:

- *Speed survey*
- *Traffic volume survey*
- *As constructed drawings*

City of Perth and East Perth Redevelopment Authority are currently developing concept plans for William Street and adjoining streets. Please liaise with them, and also with the Public Transport Authority to ensure that an integrated planning approach is taken and traffic flows are optimised during peak hours."

Officers Comments

MRWA advised they supported the proposal, however, they did not provide an undertaking that they would (in liaison with all stakeholders) alter the coordination and phasing of the traffic signals to optimise traffic flow along William Street, in particular during the morning peak period, and to incorporate bus priority signal phasing at intersections. It is considered that MRWA again be requested to provide this undertaking.

Traffic

As previously reported to the Council (*detailed report Ordinary Meeting held on 22 August 2006*), the Traffic Engineers engaged by EPRA concluded that the preferred upgrade plan would result in a marginally better traffic situation for than presently exists, provided that:

- Traffic signal linking were optimised
- Phase times were reduced to a maximum of two minutes; and
- A consistent treatment (in terms of capacity) would be implemented along the entire length of William Street, in order to remove the bottleneck point that currently exists at the southern end of the Horseshoe Bridge

Officers' Comments

Refer previous comments under MRWA regarding traffic signal linking/phasing.

Undergrounding of Power

At its Ordinary Meeting held on 22 August 2006, the Council requested that an order be immediately placed with Western Power for the undergrounding of power in William Street. The Council further approved the quotation from Western Power for the undergrounding of power in the affected section of William Street at the quoted price of \$435,680 (excl GST) as the quotation was only valid until the end of August 2006.

An order was placed with Western Power on 24 August 2006, with an acknowledgement and a project number issued by Western Power on 31 August 2006.

The Town's officers, as a priority, initiated a meeting with Western Power's Project Manager and Designer to ensure that the project continued to progress rather than languish. A site meeting was duly held on 5 October 2006 to verify the design and identify any potential issues. As a result of the meeting, Western Power had to make a number of significant changes to the design with the final drawing only being issued on 1 December 2006.

Western Power's verbal advice to date has been that the works will commence in early 2007, after the Christmas shutdown. However, a further meeting is scheduled with Western Power for 13 December 2006, where it is anticipated that a commencement date will be provided.

Officers' Comments

Once a date has been nominated, the Town will write to the respondents of the previous William Street Upgrade Project Community Consultation, advising them of the commencement of works, as well as undertaking a general letter drop to all affected properties.

Financial Assistance Agreement

At its Ordinary Meeting held on 22 August 2006, the Council requested that the Town enters into a Financial Assistance Agreement with the Department of Finance and Treasury for the committed \$250,000, once the final approval for the project was given, and that the State Government be requested to contribute an additional \$70,000 towards the William Street Upgrade project, given the increase in costs associated with the undergrounding of power.

The Town wrote to the Department of Finance and Treasury on 19 September 2006 and an extract from their response received on 24 October 2006 is as follows:

"As you would be aware, the Department of Local Government and Regional Development (DLGRD) will disburse the approved grant of \$250,000 in accordance with its guidelines concerning the payments of grants to local government authorities. I have been informed that due to the delays experienced with the project, no funds have been disbursed to date. As such, I refer this matter for consideration to the DLGRD within the context of the overall delivery of the proposed streetscape upgrade. Please liaise with the DLGRD concerning the documentation required to facilitate this review.

However, it should be noticed that, in the first instance, this project is to be funded from within existing resource allocations and that, if a funding shortfall is to occur, alternative methods of funding, including own-source revenue, are to be explored prior to an application for State Government funding."

Once the project has received final approval from the Council, the matter will be progressed further.

Public Art Project

Following the completion of the William Street Consultation and Artwork Program Report, the Arts Officer prepared an artists' brief based on the report's recommendations.

On 15 November 2006 the artists' brief was sent via email to all artists registered with Artsource, the major representative body for visual artists in Western Australia (approximately 400 members).

The brief calls on artists to register an expression of interest. The expression of interest will include a C.V and images of past work. From this a short list of several artists or artists' teams will be made.

It is intended that after a full briefing on the William Street Upgrade by the Executive Manager of Technical Services and the Arts Officer, the short listed artists will be asked to develop proposals for the artwork. The artists will then present these proposals, from which an artist or artist's team will be selected. The timeframe for the artwork procedure, as presented in the artists' brief, is as follows:

Projected Timeframe

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

Community Safety and Crime Prevention Partnership Fund - Designing Safer Communities Funding

The Town, in 2004/2005, applied for \$50,000 for improved lighting and minor streetscape improvements for the intersections of streets adjoining William Street. It was recently confirmed that this additional funding is still available and has been incorporated in the William Street upgrade budget.

Comments and Conclusion:

The majority of respondents to the community consultation were either in favour or partially in favour of the upgrade proposal. While some respondents did not agree with the selection of tree species for William Street, the officers consider that for this particular project the London Plane is the preferred tree species for William Street for (some) of the following reasons:

- it is less problematic
- more resilient
- has proven low water and nutrient requirements
- lends itself to formative pruning
- is reasonably fast growing with a long life expectancy
- is sturdy in the face of continual vandalism in a harsh urban street environment
- can be readily sourced in a large size
- will provide a uniform soft landscape theme for William Street beyond the Town's boundary

In addition, it must be noted that the Town has planted, and will continue to plant, suitable native trees and exotic trees in streetscapes determined on a case by case basis and has previously planted, and will continue to plant, a large number of native trees in its parks and reserves on an annual basis.

As stated previously within the report, the Town has undertaken the redevelopment of many areas including parks and streetscapes since its inception. There has not been a preference given to either an exotic or native landscaping theme, but one that best fits the surrounding area in terms of history, surrounding landscape, aesthetics and suitability.

In particular, there are many considerations that have been outlined above when taking into account the selection of a street tree species. The William Street trees will grow in a very unnatural and harsh environment and the successful delivery of this project is what the wider community expect given the substantial expenditure involved.

Therefore, whilst the most 'local' environmental option may not have been recommended, it should be noted that all trees provide many other benefits.

It is evident from comments received that a number of people opposed to the choice of tree species alerted the Swan River Trust and the Department of Water to the proposal. The Town subsequently received correspondence from these two authorities where they did not specifically comment on the overall proposal but indicated that a native tree choice would be their preference.

Their comments were noted, together with all the other comments received, however, it is considered that a very large number of Plane trees already exist in very close proximity to the Swan River in Claisebrook Cove and over the Claisebrook Main Drain in the City of Perth and the East Perth Redevelopment Area.

It is considered that the small number of trees proposed for William Street between Brisbane and Newcastle Streets, the measures incorporated into the design by the Town to minimise the intrusion of leaves into the stormwater system, and given the many positive attributes of the chosen tree in this location (*as previously outlined in this report*), will result in an overall positive outcome.

CONSULTATION/ADVERTISING:

Nil further consultation required as the project has already been advertised.

LEGAL/POLICY:

William Street comprises a District Distributor road under the care, control and management of the Town of Vincent.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. "(i) implement the William Street Upgrade (Brisbane Street to Newcastle Street)".

FINANCIAL/BUDGET IMPLICATIONS:

The 2006/2007 budget includes \$1,096,500 for the William Street upgrade proposal. In addition, the State Government has committed to providing an additional \$250,000 for the project, bringing the total funds available to \$1,346,500.

A breakdown of the 'revised' estimated cost of the project is as follows:

Underground Power / Decor lighting including property connections	530,000.00
Upgrade footpaths pavements (some urban stone)	341,500.00
Trees/Nibs/paving	160,000.00
Road Works - asphalt banding	20,000.00
Road Works - Delineation of former Wetland	12,000.00
Kerbing	60,000.00
Line marking / Signage	6,000.00
Reticulation	50,000.00
Street Furniture / Safety fencing	57,000.00
Artworks / entry statement	85,000.00
Traffic Control / Services / Supervision	25,000.00
Estimated Overall cost	\$ 1,346,500.00

COMMENTS:

As previously reported to the Council, the William Street infrastructure is run down and the area looks neglected and an opportunity exists to place this section of William Street "on the map" as a business and entertainment hub for the area, however, it is critical that the proposal is implemented in a way that complements and unifies William Street.

Following the community consultation, the majority of respondents indicated they were either in favour or partially in favour of the upgrade proposal. While some respondents did not agree with the selection of tree species, it is considered that the London Plane is the preferred tree species for William Street for the reasons outlined in the report.

The project has been on hold for some time as it was considered there was little value in proceeding with the project until all possible options in partnership with other stakeholders had been thoroughly investigated and workshopped. It is therefore requested, following this exhaustive process, that the officers' recommendation as presented be adopted to enable the project to be fully implemented.

SUMMARY OF COMMENTS**PROPOSED WILLIAM STREET STREETScape UPGRADE
BRISBANE ST TO NEWCASTLE ST, PERTH**

IN FAVOUR:	13
<i>(Excludes comments from COP, MRWA and EPRA)</i>	
PARTIALLY IN FAVOUR	2
AGAINST:	5
WANT NATIVE PLANTINGS:	13

Comments *In Favour* of proposal

- Fantastic - cannot wait. It is a great idea as the area really needs it. Hope to see the changes commencing soon
- Suggest all street signs should show the post code to conform to Streetsmart and UBD street directories
- Would like to see more car parking provided and the roots of the trees not damaging the building structures
- Please ensure the upgrade is friendly for public transport and routes 19 and 15 so people in North Perth have easy access to the new cafes and galleries in William St
- Great plan for an area really in need of a neater image
- Feel that the date palms outside the mosque will look somewhat off balance. Would prefer to see another pair on the other side of the street.
- 7 in favour but no further comments.

Comments *Partially In Favour* of proposal

- I agree with the proposal generally but not in favour of the choice of trees
- Whilst in principle supporting the upgrade, we wish to make the following comments. No information supplied as to whether this proposal has been made in conjunction with EPRA, City of Perth and MRWA. Not mentioned how many parking bays will be lost by embayed parking and whether metered parking will remain. Suggested that reduction in speed and embayed parking is for "high pedestrian activity". The current proposal seems more concerned with aesthetics than substance and the major problems to be created are being overlooked.

Comments *Against* the proposal

- Reduced number of parking bays. It may affect the number of customers dining at the restaurant.
- Reducing William St to 2 inbound lanes will create bumper to bumper traffic which will extend back to Walcott St. Would prefer to see a narrowing of footpaths for landscaping rather than a narrowing of William Street which will impact on traffic flow.
- It is difficult to find anything to recommend spending such a large amount of money on a small section of the Perth commercial district, which will offer little benefit to the Vincent residents and commercial operators in the main body of the Town.
- I don't mind if there is an upgrade or not but I feel that it isn't necessary.
- Reducing the width to 2 lanes gives inadequate width for a marked cycle way. A clearly marked cycle lane (as provided on Palmerston St) would improve safety and reduce injuries and fatalities due to bicycle and motor vehicle related accidents.

Comments specifically *Against* the proposed Tree species (Generally, it is assumed, *in favour* of proposal)

- In favour of proposal but not happy with trees. The leaf litter is likely to be a water pollutant.
- I would like to say that I do not think the use of Plane trees is very good for the William St upgrade as they have some very negative environmental impacts on the Swan River. I would like to see local natives that flower like Marri trees or River gums.
- Strongly oppose planting of London Plane trees. Native trees would be more appropriate to attract native fauna. Following the City of Perth and EPRA's lead on such matters is hardly a good reason for doing likewise.
- Deciduous trees contribute large amounts of leaf litter that enter our stormwater system and eventually the Swan River. The Town has successfully planted Australian native trees in Mt Hawthorn, which are more appropriate, require less water and provide important refuge for native fauna. Local plants provide an "Australian" sense of place, evoking an attractive landscape for residents and visitors.

- Consideration should be given to a gross pollutant trap to trap floating debris as well as a settlement tank for debris that sinks to the bottom of the unit. The large loads of leaf litter dumped by London Plane trees will create an increased maintenance burden for businesses along this section of William St as they will need to clean out the roof and awning gutters that will become filled and blocked with this litter.
- The use of Plane trees is inappropriate. Use Australian species please.
- I would urge Council to persuade the joint authorities to plant a West Australian native species - not the London Plane.
- My preference would be to continue the theme used in part by the Town and City of Perth of planting *Angophora costata*. Those planted semi maturing trees appear to have adapted well to their new environment and are growing well.
- Neither Date Palms nor London Plane trees are native to the area and on this basis I object strongly to the proposed plan.
- Plane trees actually let the otherwise good proposal down. Plane trees undo the benefits of putting in a Gross Pollutant Trap, make me feel I could be anywhere in Europe.
- Support the proposal to plant trees on William St and applaud the Town for removing traffic lanes to allow trees to be planted on this street. However, we are concerned at the choice of an exotic deciduous tree because of the potential negative impact on stormwater quality which will impact on water quality in the receiving water bodies in Claisebrook Cove and the Swan River. Would urge the use of a Western Australian or Australian tree. Suggest reviewing the current list of recommended street trees in the Local Government Natural Resource Management Policy Manual to ascertain the environmental impact.
- The Dept of Water recommends the Town take the opportunity while upgrading the roads and streetscape to improve stormwater quality and usage by incorporating water sensitive urban design into the upgrade. This will involve the incorporation of best management practices for stormwater management to improve water quality, increase infiltration at the source and maximise the reuse of stormwater. The planting of deciduous trees is not supported by the Dept due to the potential impact on stormwater quality.
- The Swan River Trust prefers the planting of native species. The Trust is actively working with the community to make changes to gardening practices including the use of native plants and fertilise wise and water wise practices. Rejuvenation of streetscapes such as William St provides an opportunity to promote these messages to the community.

10.1.2 Further Report -No.148 (Lot 64 D/P: 2360) Carr Street, West Perth - Proposed Additional Three (3) Two (2) Storey Plus Lofts Grouped Dwellings and Alterations Existing Single House

Ward:	South	Date:	13 December 2006
Precinct:	Cleaver; P05	File Ref:	PRO3362; 5.2006.462.1
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Bruce Arnold Architects on behalf of the owner A J Burns & A M & J L Dragojevich for proposed additional Three (3) Two (2) Storey Plus Lofts Grouped Dwellings and Alterations to Existing Single House, at No. 148 (Lot: 64 D/P: 2360) Carr Street, West Perth, and as shown on revised plans stamp-dated 13 December 2006, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Carr 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);*
- (iii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate along the Carr Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

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

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

- (iv) *first obtaining the consent of the owners of No. 150 Carr 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. 150 Carr Street in a good and clean condition;*
- (v) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that:*

"The Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development."; and

- (vi) *the ensuite bathroom in each of the lofts for Units 2, 3 and 4 shall not be converted into a balcony or other space or use that will result in the need for doors or windows, other than for those shown on the approved plans.*

COUNCIL DECISION ITEM 10.1.2

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Ker

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

- "(v) prior to the first occupation of the development ~~the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that:~~ the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*

'The Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.'

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

Debate ensued.

AMENDMENT CARRIED (7-2)

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

Moved Cr Maier, Seconded Cr Ker

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

“(vii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the removal of that part of the lofts that protrudes from the roof on the western elevation for Units 2 and 3.

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

Debate ensued.

AMENDMENT CARRIED (5-4)

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

Debate ensued.

The Presiding Member sought recommittal of the amendment to add a new clause (vii).

Cr Maier departed the Chamber at 8.06pm.

As Cr Maier had departed the Chamber a recommittal of the amendment was not possible, under the Town's Standing Orders

Cr Maier returned to the Chamber at 8.07pm.

Moved Cr Farrell, Seconded Cr Messina

That the matter be DEFERRED.

CARRIED (5-4)

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

FURTHER REPORT:

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

The Council at its Ordinary Meeting held on 5 December 2006 considered the subject proposal and resolved the following:

"That the Item be DEFERRED to allow for more accurate plans to be provided, in particular dormer windows to the loft."

The applicant has submitted revised plans stamp dated 13 December 2006 with the following amendments:

- Demonstration of dormer widows on each of the northern, eastern and western elevations;
- Modification to the landscaping area to provide for adequate vehicle manoeuvring to/from the garages of Units 2, 3 and 4; and
- Two (2) parallel car bays for the existing front dwelling.

Condition (vi) below which was carried as an ~~amendment~~ Officer Corrected Recommendation at the Ordinary Meeting of Council held on 5 December 2006 has been rectified in the revised drawing dated 13 December 2006. As such, there is no further need for the below condition to be further imposed:

"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 Bruce Arnold Architects on behalf of the owner A J Burns & A M & J L Dragojevich for proposed additional Three (3) Two (2) Storey Plus Lofts Grouped Dwellings and Alterations to Existing Single House, at No. 148 (Lot: 64 D/P: 2360) Carr Street, West Perth, and as shown on revised plans stamp-dated 20 November 2006 and 3 November 2006, subject to the following conditions:

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

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

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

- (iv) *first obtaining the consent of the owners of No. 150 Carr 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.150 Carr Street in a good and clean condition; ~~and~~*
- (v) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that:*

"The Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development."; and

- (vi) *prior to issue of Building Licence, revised plans shall be submitted and approved demonstrating adequate motor vehicle manoeuvring to/from the garages of Units 2, 3 and 4 within the subject site in accordance with the Town's Policy relating Parking and Access. The revised plans shall not result in any greater variation of the requirements of the Residential Design Codes and the Town's Policies.*

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

COUNCIL DECISION ITEM 10.1.9

Moved Cr Doran-Wu, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Doran-Wu, Seconded Cr Ker

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

"(vii) the ensuite bathroom in each of the lofts for Units 2, 3 and 4 shall not be converted into a balcony or other space or use that will result in the need for doors or windows, other than for those shown on the approved plans."

Debate ensued.

AMENDMENT CARRIED (7-0)

(Cr Torre was an apology. Mayor Catania was absent from the Chamber on official business and did not vote.)

Debate ensued.

Moved Cr Chester, Seconded Cr Lake

That the Item be DEFERRED to allow for more accurate plans to be provided, in particular dormer windows to the loft.

CARRIED (7-0)

(Cr Torre was an apology. Mayor Catania was absent from the Chamber on official business and did not vote.)

<i>Landowner:</i>	<i>A J Burns & A M & J L Dragojevich</i>
<i>Applicant:</i>	<i>Bruce Arnold Architects</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R 80</i>
<i>Existing Land Use:</i>	<i>Single House</i>
<i>Use Class:</i>	<i>Grouped Dwelling</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>1017 square metres</i>
<i>Access to Right of Way</i>	<i>Not applicable, as the eastern side vehicle access way is to Beattie Lodge and is not a right -of way as shown on the site plan.</i>

BACKGROUND:

26 April 2006 *The Council at its Ordinary Meeting considered an application for proposed additional five (5) two-storey single bedroom grouped dwellings with studios to existing single house, at No. 148 (Lot 64) Carr Street, West Perth, and resolved:*

"That the Item be DEFERRED for further investigation."

25 July 2006 *The Council at its Ordinary Meeting considered an application for proposed additional five (5) two-storey single bedroom grouped dwellings with studios to existing single house, at No. 148 (Lot 64) Carr Street, West Perth, and resolved:*

“That the Item be DEFERRED as requested by the applicant.”

8 August 2006 *The Council its Ordinary Meeting resolved to refuse the application for proposed additional five (5) two-storey single bedroom grouped dwellings with studios to existing single house at No. 148 (Lot 64) Carr Street, West Perth, for the following reasons:*

- “(i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the upper floor building on boundary and upper floor setback requirements of the Residential Design Codes; and*
- (iii) consideration of the objections received.”*

DETAILS:

The proposal involves the retention and upgrade of the existing house, including the provision of two (2) additional car bays, and three (3) additional two-storey grouped dwellings with lofts.

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

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Density</i>	<i>5.63 dwellings R 60</i>	<i>4 grouped dwellings R 40</i>	<i>Noted-no variation.</i>
<i>Plot Ratio</i>	<i>0.65 or 659 square metres</i>	<i>0.70 or 715 square metres</i>	<i>Supported - as the variation would not unduly affect the amenity of the area, as the floor area is contained with the acceptable wall and building height of the proposed dwellings.</i>
<i>Setbacks: Ground floor-north elevation</i>	<i>1.5 metres</i>	<i>1.2 metres</i>	<i>Supported - as the variation is not considered to have an undue impact on the affected neighbour. As above As above</i>
<i>Ground floor-east elevation</i>	<i>1.5 metres</i>	<i>1.4 metres</i>	
<i>First floor-north elevation</i>	<i>1.5 metres</i>	<i>1.2 metres</i>	

<i>First floor-east elevation</i>	<i>6.3 metres</i>	<i>3.5 metres to 5.9 metres</i>	<i>As above</i>
<i>Loft-east elevation</i>	<i>5.6 metres</i>	<i>4.5 metres to 7 metres</i>	<i>As above</i>
<i>Loft-west elevation</i>	<i>2.4 metres</i>	<i>2.1 metres to 3.18 metres</i>	<i>As above</i>
<i>Privacy setbacks: Balconies of Units 2, 3 and 4, dining rooms of Units 2 and 3 and bedroom 1 of Unit 4-facing vehicular access way on the eastern property.</i>	<i>7.5 metres, 6 metres and 4.5 metres respectively</i>	<i>Minimum 2.5 metres, 4.5 metres and 2.7 metres respectively to eastern lot boundary.</i>	<i>Supported-as the overlooking is into the eastern property's vehicular access way.</i>
<i>Consultation Submissions</i>			
<i>Support</i>	<i>Nil</i>		<i>Noted</i>
<i>Objection (1)</i>	<ul style="list-style-type: none"> • <i>Variation of plot ratio results in over development of site and encroachment into the landscaping area.</i> 		<i>Not supported-as the development is at the rear of the property and complies with the open space requirements.</i>
	<ul style="list-style-type: none"> • <i>Loft-west side setback variation results in a feeling of confinement.</i> 		<i>Not supported - as the setback variation is not considered to have an undue impact on the affected neighbour.</i>
<i>Other Implications</i>			
<i>Legal/Policy</i>			<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>
<i>Strategic Implications</i>			<i>Nil</i>
<i>Financial/Budget Implications</i>			<i>Nil</i>

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

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

COMMENTS:

The above proposal is a better development outcome, when compared to the previous proposal refused by the Council at its Ordinary Meeting held on 8 August 2006, in terms of bulk and scale, and overall the development is considered compatible and in keeping with density of other development in the surrounding vicinity.

It is therefore recommended that the Council approve the above proposed development, subject to standard and appropriate conditions to address the above matters."

10.1.5 No. 448 (Lots 2, 3 and 4), Fitzgerald Street, Corner Wasley Street, North Perth- Proposed Partial Demolition of Existing Single Storey Commercial Building and Construction of Four (4) Storey Mixed Use Development Comprising Shops, Office Buildings, Consulting Rooms (Dental Practitioners) and Eating House

Ward:	North	Date:	12 December 2006
Precinct:	North Perth Centre; P09	File Ref:	PRO1047; 5.2006.468.1
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 & Development on behalf of the owner Tizzano Group for Proposed Partial Demolition of Existing Single Storey Commercial Building and Construction of Four (4) Storey Mixed Use Development Comprising Shops, Office Buildings, Consulting Rooms (Dental Practitioners) and Eating House at No. 448 (Lots 2, 3 and 4) Fitzgerald Street, corner Wasley Street, North Perth, and as shown on plans stamp-dated 28 September 2006 , subject to the following conditions:

- (i) *prior to the issue of the Building Licence or first occupation of this development, whichever occurs first, the applicant/owner shall pay a cash-in-lieu contribution of \$31,928 for the equivalent value of 12.28 car parking spaces, based on the construction cost of \$2,600 per bay as set out in the Town's 2006/2007 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *the consulting rooms shall be used for dentistry/dental practitioners purpose only and should the applicant/owner wish to change the nature of the consulting rooms use, it shall be necessary to reapply to and obtain approval from the Town prior to commencement of the new use;*
- (iv) *the hours of operation for the consulting rooms (dental practitioners) shall be limited to the following times: 8.30am to 6pm Monday to Friday and 8.30 am to 3 pm Saturday, inclusive;*
- (v) *a maximum of four (4) dental consultants/practitioners and consulting rooms are permitted to operate at the property at any one time;*

- (vi) *any new street/front wall, fence and gate between the Fitzgerald Street and Wasley Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (vii) *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;*
- (viii) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (ix) *the multi-purpose electronic screen shall be restricted to displaying time, day, month or weather information only, and shall not be used for advertising of any other nature;*
- (x) *the vehicular entry gates to the undercroft car park shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the development at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (xi) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained;*
- (xii) *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. All with tandem car bays being sign posted and set aside specifically for staff use only*

- (xiii) *a detailed landscaping plan, including a list of plants on the fourth floor of 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, eight (8) class 1 or 2 and six (6) class 3 bicycle parking facility shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities;*
- (xv) *the car parking area shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xvi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xvii) *the maximum floor space shall be limited as follows:*
- (a) *shops -117 square metres of gross floor area;*
 - (b) *eating house (café/restaurant) -55 square metres of public area;*
 - (c) *offices-1320 square metres of gross floor area; and*
 - (d) *office -55 square metres of gross retail banking floor area;*
- (xviii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xix) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$25,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$25,000, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (xx) *prior to the issue of a Building Licence, the following matters are to be submitted to and approved by the Town:*
- (a) *the written approvals of the Minister for Lands and/or the Minister for Local Government and Regional Development whichever is appropriate, for the balcony encroachment over the adjacent road reserve (Crown land); OR*
 - (b) *revised plans demonstrating no structures within the adjacent road reserves;*
- The revised plans shall not result in any greater variation to the requirements of the Town's Policies;*

- (xxi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxii) *doors, windows and adjacent floor areas fronting Fitzgerald Street and Wasley Street shall maintain an active and interactive relationship with these streets;*
- (xxiii) *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;*
- (xxiv) *prior to the issue of the Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *end of trip facilities for bicycle users being provided in accordance with the Town's Policy relating to Parking and Access;*
 - (b) *the building being redesigned to accommodate a truncation of 3 metres by 3 metres at the intersection of Wasley Street and Fitzgerald Street - without any encroachment into the truncation other than awnings to the satisfaction of the Town;*
 - (c) *continuous and complementary awnings being provided over the Fitzgerald Street and Wasley Street footpaths. The awnings shall follow the line of truncation, and be in accordance with the Town's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Fitzgerald Street and Wasley Street; and*
 - (d) *the tandem car bays shown on the approved site plans being allocated to and marked for staff use only.*

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

COUNCIL DECISION ITEM 10.1.5

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Crs Messina and Torre departed the Chamber at 8.10pm.

Debate ensued.

Cr Messina returned to the Chamber at 8.12pm

CARRIED (8-0)

(Cr Torre was absent from the Chamber and did not vote.)

Landowner:	Tizzano Group
Applicant:	Labirynt Design & Development
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Shop
Use Class:	Shop, Office Building, Eating House, Consulting Rooms
Use Classification:	"P", "P", "P" and "AA"
Lot Area:	1092 square metres
Access to Right of Way	East side, 4.6 metres wide, sealed, Town owned

BACKGROUND:

- 27 September 2005 The Council at its Ordinary Meeting conditionally approved an application for proposed change of use from shop to shop and eating house and alterations at the above site.
- 19 September 2006 The above proposal was presented to an Elected Members Forum.
- 3 November 2006 The proposal was forwarded to the Western Australian Planning Commission for comments.

DETAILS:

The proposal involves partial demolition of the existing building and the construction of an additional two storeys, resulting in a four storey development with an existing basement car park. The uses proposed are offices, retail (shop), eating house and consulting rooms. Access to the site is off Wasley Street by way of the rear right of way. The applicant submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65	1.16	Supported- as in mixed use development sites, if too high standards are imposed, there is a probability that this would discourage the concept of mixed use developments. In the past, for mixed use developments, the Town has considered higher plot ratios provided that the "total development" fits in with the surrounding development and the likely benefits to be achieved by such integrated developments, such as this proposal.

Number of storeys	3 storeys, however, 4 storeys can be considered on corner sites.	4 storeys and existing basement car park	Supported-as it is considered acceptable in terms of the height and scale, and also gives prominence to this strategically located corner site.
Height of building	10 metres	16.2 metres	Supported –as the site is a strategically located corner site and is not considered to create an undue, adverse effect on the existing streetscape.
Building Setbacks: Front setback- West (Fitzgerald Street) elevation	Nil	Nil to 1 metre	Supported- as the front setback is not considered to create an undue, adverse effect on the existing streetscape.
Side-North (Wasley Street) elevation	Nil	Nil, 1 metre and 7.4 metres	Supported - as the greater setback is considered not to unduly affect the streetscape in the area.
Side-South elevation	Nil	Nil to 7.1 metres	Supported, as the adjoining lot to the south is also within the District Centre zone, and is likely to be redeveloped in the near future.
Rear-East elevation	9 metres	6.3 metres	Supported- as one of the main reasons for the 9 metres rear setback is to allow for court yard space for residential developments. The proposal does not involve a residential component.
Landscaping	10 per cent or 109 square metres	6.41 per cent or 70 square metres on the fourth floor.	Supported- on the basis that most of the developments along Fitzgerald Street within the Precinct do not have landscaping, mainly due to the nature and urban form of surrounding developments.

Consultation Submissions		
Support	Nil	Noted.
Objection (2)	<ul style="list-style-type: none"> Development more than 2 storeys is grossly over height for the streetscape and around this development and along Fitzgerald Street. 	Not supported-as it is considered acceptable in terms of height and scale. The proposal also gives prominence to this strategically located corner site, where a fourth storey can be considered for corner sites.
	<ul style="list-style-type: none"> Development will create traffic problems in the area. 	Not supported- as the proposed development will generate an additional 14 vehicles per hour compared to the existing development. The traffic impact will therefore be insignificant as this is an increase of approximately 0.7 per cent on Fitzgerald Street. The development traffic can be accommodated within the road network with no negative impact expected.
	<ul style="list-style-type: none"> Car parking is currently inadequate in the area, and will result in further undue pressure on car parking behind this development. The proposal will result in additional car parking required for the area, which is already subject to large commercial development (St Michael Nursing Home). Overshadowing caused onto the building to the south and that the building will stand out as a "sore thumb". 	<p>Noted- as there is a Town owned 42 car bay car park at the rear of the proposed development site, which has a maximum 3 hour time limit. In addition, the car park off View Street has another 41 car bays and is within close proximity to the development site.</p> <p>Noted-The over shadowing provisions of the Residential Design Codes apply to residential zoned land. If this requirement was to be applied on non-residential zoned land in the North Perth District Centre, most development will not be able to comply or be developed.</p>

Other Implications		
Legal/Policy	TPS 1 and associated Policies.	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	
Car Parking		
Office: 1 car bay per 50 square metres gross office/administration floor area (proposed 1320 square metres) = 26.4 car bays. Office: 1 car bay per 15 square metres of gross retail banking floor area (proposed 55 square metres) =3.66 car bays. Café/Eating House -1 space per 4.5 square metres of public area (55 square metres) = 12.22 car bays. Shop: 1car bay per 15 square metres of gross floor area (proposed 117 square metres) = 7.8 car bays. Consulting rooms: 3 car bays per consulting room (proposed 4 consulting rooms) = 12 car bays. Total 62.08 car bays To nearest whole number	62 car bays	
Apply the parking adjustment factors.	(0.5852)	
<ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces) ▪ 0.90 (provision of "end of trip" facilities for bicycle users) ▪ 0.90 (proposed development as within the District Centre) 	36.28 car bays	
Car parking provided on site	24 car bays, of which 2 are tandem car bays.	
Resultant shortfall	12.28 car bays	
Bicycle Parking Facilities		
Requirements	Required	Provided
Offices		
<ul style="list-style-type: none"> • 1 space per 200 (proposed 1320) square metres gross floor area (class 1 or 2). • 1 space per 750 (proposed 1120-1000=120) square metres over 1000 square metres for visitors (class 3), as the class 3 facilities for a bank office of 200 square metres is a separate requirement as below. 	6.6 spaces	No bicycle parking facilities shown on submitted plans.
	0.16 space	
Bank		
<ul style="list-style-type: none"> • 2 spaces for class 3. 	2 spaces	As above.
Consulting rooms		
<ul style="list-style-type: none"> • 1 space per 4 practitioners (Class 3) 	1 space	As above.
Shop		
<ul style="list-style-type: none"> • 1 space per 300 (proposed 117) square metres gross floor area (Class 1 or 2). • 1 space per 200 (proposed 117) square metres (Class 3). 	0.39 space	As above.
	0.58 space	As above.
Eating house		
<ul style="list-style-type: none"> • 1 space per 100 (proposed 55) square metres public area (class 1 or 2). • 2 spaces plus 1 space per 100 (proposed 55) square metres of public area (class 3). 	0.55 space	As above.
	2.55 spaces	As above.

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

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

COMMENTS:

Western Australian Planning Commission Referral

The proposal has been referred to the Western Australian Planning Commission (WAPC) as the proposal abuts Fitzgerald Street, which is classified as an "Other Regional Road" and also due to regional implications. The WAPC has advised that a 3 metre by 3 metre truncation is required at the corner of Fitzgerald and Wasley Streets, with the awning to be contained within the Fitzgerald Street road reservation to the satisfaction of the Town.

Partial Demolition

The subject place, known as the Fitzgerald Arcade located at No. 448 Fitzgerald Street, North Perth was constructed circa 1987 in the Late Twentieth Century Retail style of architecture. Located on a prime corner location at the Fitzgerald and Wasley Street intersection, the place forms part of a commercial landscape dating from 1898.

The single storey painted brick arcade is positioned on the corner of Fitzgerald Street and Wasley Street. The place has a substantial set back from the road and maintains an interactive presentation to each street. The façade features a simple parapet, a corrugated iron bull nose verandah, aluminium framed fenestration detail and a prominent protruding barrel roof entrance to Fitzgerald Street. The rear of the place abuts a public car park and features two small barrel roofed areas, three aluminium framed windows and two large roller doors, which provide access to undercroft parking. The complex comprises five shops, which are located around a central passage underneath the prominent protruding barrel roof entrance off Fitzgerald Street.

The arcade is not listed on the Town's Municipal Heritage Inventory and is not considered to have any specific cultural heritage value that would make it eligible for consideration for inclusion on the Town's Municipal Heritage Inventory. The place is considered to require no further investigation and that a full Heritage Assessment is not warranted. Therefore, it is recommended that the application to part demolish the building be approved, subject to a quality archival record and other standard conditions.

Cash-In-Lieu of Car Parking

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

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

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

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

1. No land value component is to be included in the cash-in-lieu of car parking contribution until the draft amended Parking and Access Policy is finally adopted by the Council.
2. Planning applications received prior to and on 12 July 2005 (date of formal adoption of 2005/06 Budget and Fees and Charges) -the cash-in-lieu contribution is to be based on \$2,500 per car bay.
3. Planning application received after 12 July 2005-the cash-in-lieu contribution is to be based on \$2,600 per car bay.

The cash-in-lieu and shortfall in car parking is supported on the basis that there are available car parks within close proximity of the development site.

Conclusion

The proposed alfresco will require a separate Alfresco Eating House Licence application to be submitted to and approved by the Town, as it is proposed within the adjacent road reserve.

The application is considered acceptable and would not result in any undue impact on the amenity of the surrounding area. The application is, therefore, supported subject to standard and appropriate conditions to address the above matters.

10.1.6 No. 356 (Lots 1 and 2) Oxford Street, Corner Salisbury Street, Leederville - Proposed Demolition of Shed and Construction of a Three (3) Storey Mixed Use Development Comprising Offices, Shop, Five (5) Multiple Dwellings and Basement Car Park

Ward:	North	Date:	13 December 2006
Precinct:	Mount Hawthorn Centre; P02	File Ref:	PRO3688; 5.2006.399.1
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 Hoffman Architecture on behalf of the owner Heal & Brandli Services Pty Ltd & J and A Matta for Proposed Demolition of Shed and Construction of a Three (3) Storeys Mixed Use Development Comprising Offices, Shop, Five (5) Multiple Dwellings and Basement Car Park, at No. 356 (Lots 1 and 2) Oxford Street, corner Salisbury Street, Leederville, and as shown on plans stamp-dated 17 October 2006, subject to the following conditions:

- (i) prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (ii) the power pole along Salisbury Street shall be relocated and all associated costs shall be borne by the owners;*
- (iii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (iv) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$30,000.) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$30,000, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (v) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*

- (vi) *first obtaining the consent of the owners of Nos. 358 (Lot 4) Oxford Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 358 (Lot 4) Oxford Street in a good and clean condition;*
- (vii) *any vehicular gates to the basement car park shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the Development;*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *significant design features and/or other appropriate finishes being incorporated into the western (Oxford Street) and northern facing building walls;*
 - (b) *any proposed vehicular gate along the right-of-way being a minimum 50 percent visually permeable when viewed from the street;*
 - (c) *car bay 16 being deleted, due to insufficient width;*
 - (d) *the bin storage area being relocated to where car bays 16 is or other appropriate location within the subject site; and*
 - (e) *a 1 metre wide pedestrian path being provided to access the rear bicycle parking facilities and the adjacent rear access door;*
 - (f) *the awnings shall be a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Oxford Street.*

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

- (ix) *prior to the first occupation of the development, four (4) class- one or two, and one (1) class three bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (x) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (xi) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*

- (xii) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the following:*
- (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) *the Town of Vincent will not issue a visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development.*
- (xiii) *doors, windows and adjacent floor areas fronting Oxford Street and Salisbury Street shall maintain an active and interactive relationship with these streets;*
- (xiv) *the maximum floor space shall be limited as follows:*
- (a) *shops -258 square metres of gross floor area; and*
 - (b) *offices-660 square metres of gross floor area;*
- (xv) *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;*
- (xvi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xvii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- (xviii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xix) *the car parking area shown for the commercial tenancies shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xx) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*

- (xxi) *prior to the issue of the Building Licence or first occupation of this development, whichever occurs first, the applicant/owner shall pay a cash-in-lieu contribution of \$15,080 for the equivalent value of 5.80 car parking spaces, based on the construction cost of \$2,600 per bay as set out in the Town's 2006/2007 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (xxii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Salisbury 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);*
- (xxiii) *any new street/front wall, fence and gate between the Oxford Street and Salisbury Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
- (xxiv) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$9,100 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.*

COUNCIL DECISION ITEM 10.1.6

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Doran-Wu departed the Chamber at 8.14pm.
Cr Doran-Wu returned to the Chamber at 8.17pm.

Cr Torre returned to the Chamber at 8.22pm.

CARRIED (5-4)

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

Landowner:	Heal & Brandli Services Pty Ltd & J and A Matta
Applicant:	Hoffman Architecture
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Vehicle Sales Premises
Use Class:	Office Building, Shop and Multiple Dwellings
Use Classification:	"P", "P" and "AA"
Lot Area:	890 square metres
Access to Right of Way	East side, 5 metres wide, sealed, privately owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the proposed demolition of shed and construction of a three (3) storey mixed use development comprising offices, shop, five (5) multiple dwellings and basement car park. Access to the basement car park will be off Salisbury Street, which will require the relocation of a power pole, and access to rear car bays at grade level off the right-of-way on the east side of the subject site.

The proposal is three (3) storey facing Oxford Street and a small section of Salisbury Street, with the rear portion towards the east side being two (2) storeys in height.

The applicant has responded to the concerns raised in the submission with the following response and justification:

"Privacy to property on the opposite site of Salisbury Street (Number 354)

The Salisbury Street reserve is around 20 m wide. Under the R codes there is no provision for the protection of privacy across road reserves. The R codes make allowance for a maximum 6m setback for privacy provisions for the R60 density (that prevails for number 354). Under this scenario it makes no sense that a 20m setback, across a road is seen as an adverse situation. In addition; existing trees, on or close to, the southern Salisbury St boundary as well as future proposed street trees are set to protect site lines.

The subject property is zoned R60 and, no doubt, will be the subject of future redevelopment. There will be no overshadowing.

Sense of confinement

The sense of "confinement" presumably also relates to the property on 354 Oxford. Given that the proposed 3 storey development (and only 2 storeys towards the east) is within the precinct policy guidelines it is difficult to see how this objection applies. Also refer above.

Height on Oxford St/ Salisbury Residential Parking

The Mount Hawthorn Precinct Policy makes provision for three storey development provided it is compatible with adjoining residential properties (the adjoining residential property is east of the site where it is proposed that the development is two storeys largely due to the sharp rise on Salisbury St).

Whilst Oxford St is largely undeveloped at this stage it is only a matter of time (a relatively short time in all likelihood) before the remainder of the properties in the vicinity are developed to a similar scale as is proposed. Certainly it is intended that the development stand proud and announce the southern boundary of commercial development on Oxford Street.

It would seem illogical to restrict the parking (kerbside?) as in this day and age we should be seeking diversity and economy for parking. The notion is that during work hours the demand will be for parking associated with commercial activities whilst at night and on weekends the demand will be more for residential visitors. This arrangement should indeed be compatible with not only adjoining residential properties but also commercial developments (across the road on Oxford)

Vehicle Access

Vehicle access off Oxford St cannot be seen as ideal for two reasons. The Engineering department require a 5.5m wide crossover that will consume over 25% of the narrow Oxford Street frontage. This will not only decrease the amount of interactivity on the street but also interrupt pedestrian flow. Oxford Street is a major busy street. Dangerous traffic crossovers should be discouraged on corner sites where alternative street access is available.

Fence to ROW

The owner would be pleased to protect the fence on the other side of the ROW during construction. Of course, final details on how this may be achieved (e.g. guard rails) would be subject of agreement with the Town and the subject neighbour. Clearly, there will be a need to maintain vehicle access and also to make repairs to any damage to the fence caused by the contractor.

Landscaping

The owner proposes to upgrade the verges on both Salisbury St and Oxford St. The final detail of this would be subject of agreement with the Town."

The additional heights are required to accommodate air-conditioning duct work and also recessing of light fittings.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65	0.85	Supported- as in mixed use development sites, if too high standards are imposed, there is a probability that this would discourage the concept of mixed use developments. In the past, for mixed use developments, the Town has considered higher plot ratios provided that the "total development" is compatible with the surrounding development and the likely benefits to be achieved by such integrated developments, such as this proposal.
Density	R60 or 5.66 multiple dwellings	R56 or 5 Multiple dwellings	Noted- no variation.
Car Parking for Commercial Use	21.81 car bays	16 car bays	Supported-as there a there is street parking available along Oxford and Salisbury Streets for any over flow of traffic from the above development site.
Height of 3 Storey Component	10 metres	10.784 metres	Supported- as the variation is mainly to the front section facing the Oxford Street frontage, and would not have an undue impact on the streetscape, and provides space to incorporate the air-conditioning ductwork and recessed light fittings.
Height of 2 Storey Component	7 metres	7.34 metres	Supported- as the variation is considered minor, and if the proposal had a pitch roof, the height for a two storey development can go up to a height of 9 metres.

Consultation Submissions		
Support	Nil	Noted
Objection (11)	<ul style="list-style-type: none"> Will affect the privacy, as there will be direct view from the five southern facing balconies into the front and backyard, and 2 bedrooms and living room of No.353 Oxford Street, which is located on the opposite side of Salisbury Street/corner of Oxford Street. Balconies should be located facing the western or northern side. 	<p>Not supported - as the balconies face the street and comply with the privacy requirements of the Residential Design Codes.</p> <p>Any relocation of the balconies will result in a total redesign of all the multiple dwellings.</p>
	<ul style="list-style-type: none"> The proposed 3 storey development will interrupt the Oxford Streetscape and be out of character, as most buildings are either single or two storey in height. Moreover, the heights do not comply with the R Code requirements. If approved, the Council should consider car parking along Salisbury Street to be only for residential uses. 	<p>Not supported - as the Mount Hawthorn Centre Precinct allows for 3 storey development and (lofts) to be considered, provided the amenity of the adjacent residential properties are protected in terms of privacy, scale and bulk, in which this development complies with.</p>
	<ul style="list-style-type: none"> Number of residential units should be reduced, as the building height is considered excessive and creates a sense of confinement to adjacent property outdoor living area. 	<p>As above.</p>
	<ul style="list-style-type: none"> An alternative access to the basement should be considered such as Oxford Street, as Salisbury Street is a residential street, resulting in additional traffic along Salisbury Street. Concern of additional street parking along Salisbury Street as a result of the proposed development, and also car parking from other businesses along Oxford Street. 	<p>Not supported - as access via Salisbury Street would be preferable whilst Oxford Street retained a continuous shop frontage. Oxford Street would also be expected to be the main access route from the development. However, steps should need to be taken to ensure movement to and from the development does not cause undue disturbance to adjoining Salisbury Street residents.</p>
	<ul style="list-style-type: none"> No objection if guard rails can be installed directly on the opposite side of the right-of-way to reduce potential damage when vehicles reverse and during construction phase. 	<p>Noted and supported- as the applicants have also agreed in their submission to negotiate the matter with the affected neighbour and the Town with respect to the guard rails.</p>

	<ul style="list-style-type: none"> Additional trees and landscaping should be considered for the development. 	Not supported - on the basis that most of the Commercial developments along Oxford Street do not have landscaping, mainly due to the nature and urban form of surrounding developments. Furthermore, with mixed used development, development can be built with nil open space component.
	<ul style="list-style-type: none"> Insufficient car parking , especially in close proximity to Oxford Hotel. If applicant complies with R Code requirements, no additional pressure is placed on the current parking. Time restriction can be put into place on Salisbury Street to ensure turn-over of vehicles. 	Noted-as in most commercial areas, there are peak and non-peak times, where there may be constraints on availability for on-street car parking.
Other Implications		
Legal/Policy		TPS 1, associated Policies and the Residential Design Codes.
Strategic Implications		Nil
Financial/Budget Implications		Nil
Commercial Car Parking		
Office: 1 car bay per 50 square metres gross floor area (proposed 660 square metres) = 13.2 car bays. Shop: 1 car bay per 15 square metres of gross floor area (proposed 258 square metres) = 17.2 car bays.		
Total =30.4 car bays To nearest whole number		30 car bays
Apply the parking adjustment factors.		(0.72675)
<ul style="list-style-type: none"> 0.85 (within 400 metres of a bus stop) 0.95 (within 50 metres of one or more public car parks in excess of 25 spaces) 0.90 (end of trip bicycle facilities) 		21.80 car bays
Car parking provided on-site		16 car bays
Resultant shortfall		5.80 car bays
Bicycle Parking		
Requirements	Required	Provided
Offices <ul style="list-style-type: none"> 1 space per 200 (proposed 660) square metres gross floor area (class 1 or 2). 	3.3 spaces	Bicycle parking facilities and end of trip facilities shown on submitted plans.

Shop	• 1 space per 300 (proposed 258) square metres gross floor area (Class 1 or 2).	0.86 space	As above.
	• 1 space per 200 (proposed 258) square metres (Class 3).	1.29 spaces	As above.

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

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

Residential Car Parking

Car parking requirements for the residential component of the development have been calculated using the requirement for multiple dwellings from the Residential Design Codes (R Codes). In mixed use developments, the residential component requires the provision of five (5) car bays, based on the standard of one (1) per each of the 5 proposed multiple dwellings.

A total of 21 car bays have been provided for the entire development, therefore, resulting in 16 car bays available for the commercial component.

Demolition

The Town's Heritage Officers consider the demolition of the outbuilding (shed) to be acceptable and that it does not require a full heritage assessment.

Cash-In-Lieu of Car Parking

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

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

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

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

1. No land value component is to be included in the cash-in-lieu of car parking contribution until the draft amended Parking and Access Policy is finally adopted by the Council.
2. Planning applications received prior to and on 12 July 2005 (date of formal adoption of 2005/06 Budget and Fees and Charges) -the cash-in-lieu contribution is to be based on \$2,500 per car bay.
3. Planning application received after 12 July 2005-the cash-in-lieu contribution is to be based on \$2,600 per car bay.

The cash-in-lieu and shortfall in car parking is supported for the reasons given in the Assessment Table comments.

Conclusion

The application is considered acceptable and would not result in any undue impact on the amenity of the surrounding area. The application is, therefore, supported subject to standard and appropriate conditions to address the above matters.

10.2.4 Mount Hawthorn Pre-Primary School – Proposed Improvements to Playground and Surrounds

Ward:	North	Date:	8 December 2006
Precinct:	Mt Hawthorn P1	File Ref:	RES0027
Attachments:	001		
Reporting Officer(s):	J van den Bok, R Lotznicker		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report in relation to the request for the Town to provide contributory funding towards improvements to the Mount Hawthorn Pre-Primary School playground and surrounds;*
- (ii) *NOTES that the Mount Hawthorn Pre-Primary School has contributory funding of approximately \$14,000 for the proposal and the Town would need to contribute \$35,000 to enable the proposal to be implemented;*
- (iii) *APPROVES BY AN ABSOLUTE MAJORITY;*
 - (a) *the upgrade of Mount Hawthorn Pre-Primary School playground and surrounds as outlined in the report, and shown on attached Plan No. 2494-CP-1, at an estimated cost of \$49,000; and*
 - (b) *the reallocation of \$35,000 from the 2006/2007 "Mount Hawthorn Precinct - Area Wide Traffic Management" allocation to the "Mount Hawthorn Pre-School Playground and Surrounds Upgrade Proposal";*
- (iv) *AUTHORISES the Chief Executive Officer to;*
 - (a) *liaise with the Mount Hawthorn Pre-Primary School concerning the timing of the proposed works;*
 - (b) *meet with the Department of Education to consider a partnership in funding the upgrades to Mount Hawthorn Pre-Primary School considering the Town's commitment to providing \$35,000 in funding; and*
- (v) *REQUESTS the Chief Executive Officer to review the Town's existing leases to clarify the responsibility for the condition of the building, land and surrounds; and*
- (vi) *ADVISES the Mount Hawthorn Pre-Primary School of its decision.*

COUNCIL DECISION ITEM 10.2.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

PURPOSE OF REPORT:

The purpose of this report is to request that the Council consider contributing funds towards improvement works to the Council owned land located at the Mount Hawthorn Pre-Primary School following the receipt of a petition from the Pre-Primary school requesting the Town's support.

BACKGROUND:

A petition with 320 signatories was received by the Town on 29 November 2006, requesting that the Town allocate contributory funding towards the improvement of the playground area and surrounds at the Mount Hawthorn Pre-Primary School.

The Town's officers have been liaising with the school over the past six (6) months and have assisted in developing an improvement plan focused on an upgrade of the playground area and surrounds.

The land on which the school is located is owned by the Town of Vincent, and the Mount Hawthorn Pre-Primary School has advised they have raised around \$14,000 towards the proposed improvement works.

DETAILS:

Current Lease Agreement

Mt Hawthorn Pre-Primary School is located at 212 Scarborough Beach Road. It operates the Pre-Primary from these premises under a sub-lease from the Education Department. The Education Department leases the premises from the Town of Vincent. The lease is a five (5) year lease with a five (5) year option, which was renewed on 24 September 2006 until September 2011.

Under the lease agreement the Education Department is responsible for the maintenance and upkeep of the property under the following clauses. The lease is silent as to who is responsible for the condition of the land. This should be clarified.

"Repairs and Maintenance:

The Lessee must repair and maintain the premises including all lighting and electrical installations, all fences, gates, reticulation, drainage systems and other fixtures and fittings in the premises in good order and condition and must keep the premises clean and in a sanitary state at all times.

The Lessee shall not be required to replace electrical switchboards or wiring if replacement is required due to the age of the switchboards or wiring.

The Lessee shall not be required to replace any plumbing or piping if replacement is required due to the age of the plumbing or piping.

In particular, the Lessee shall perform the following maintenance and cleaning obligations.

Surrounds - to be kept clean, tidy and free of litter, rubbish and broken glass."

Proposed Upgrade Proposal

Playground Area

The existing playground equipment on the Pre-Primary School site consists of numerous items that do not comply with the current or previous playground standards. Part of the main structure is constructed from timber and is approximately 20 years old and is rapidly deteriorating. Splintering of the timber has the potential to cause a serious injury if this is not attended to in the near future.

The existing sand pit is located on a significant slope, resulting in all of the sand accumulating at one end causing it to overflow onto the footpath adjacent to Scarborough Beach Road.

The upgrade proposal would involve utilising part of the existing main steel playground structure, which is in good condition, and combine this with another playground structure that has been sourced from a playground contractor. In addition, the Town would be able to provide two (2) pieces of obsolete play equipment that would be sand blasted and re-powder coated.

A limestone retaining wall would be required around the existing sand pit which would provide a more suitable finished level/grade and the existing sand would be replaced.

While a mature Lilac tree provides shade to the area, it has been recommended that this tree be removed (*due to the poisonous fruit it produces and the propensity for this soft wooded species to drop branches*) and therefore a shade sail would be required over the main playground structure.

Surrounds

The existing surrounds consist of the following:

- several unhealthy, poorly formed trees which require removal/replacement
- deteriorating sections of turf; and
- a significant bitumen area running along the northern side of the building that provides no useful purpose

The high cost of scheme water and current level of water restrictions (*which has been a previous issue prior to the Town providing a bore water connection at other sites such as Margaret Pre-School*) has resulted in the general landscaping on the site deteriorating to the point where the area is now very dry and generally uninteresting to small children.

It is proposed that a domestic bore would be provided and the existing reticulation system would be reinstated and turf and garden areas provided throughout the grounds. The existing bitumen driveway (*former 'closed' Right of Way*) would be substantially removed other than a 2.5 metre section which would remain to provide a path for pedestrian traffic from the pedestrian flyover.

The path would continue to the north east corner of the property which would allow children to ride around a ready made track through newly planted gardens and trees.

It is proposed to provide some type of fencing at the north east corner of the building across to the adjacent school fence to secure the site.

Officers' Comments

It is considered that the proposal would provide a safe range of equipment suitable for pre-primary level children, a more functional area and improved amenity for children and the funding contribution should be supported.

Previous 'similar' Contributions by the Town

At its Ordinary Meeting held on 24 August 2004, the Council considered a report on a request for funding by the Margaret Pre-School to enable their school surrounds to be upgraded. The Margaret Pre Primary has a similar lease to the Mount Hawthorn Pre Primary School.

The report concluded that...*whilst the Town is not necessarily responsible for this under the lease agreement, no other immediate source of funding is available. It is recommended that the Town supports this program and ensures the equipment is compliant with Australian Standards, subject to a source of funds being identified.*

The Council, after considering the report, decided to fund the proposal.

CONSULTATION/ADVERTISING:

Consultation has previously been undertaken with members of the Mount Hawthorn Pre-Primary School in developing the concept plan.

LEGAL/POLICY:

The Town's Policy No. "1.2.8 Terms of Lease", which specifies a five year term to a maximum of ten years.

The re-allocation of funds will require an Absolute Majority decision of the Council.

STRATEGIC IMPLICATIONS:

In accordance with Strategic Objective 3 of the Strategic Plan 2006 – 2011; Community Development 3.1 "*Enhance community development and wellbeing.*"

FINANCIAL/BUDGET IMPLICATIONS:

No funds are allocated in the 2006/2007 budget for the proposed Mount Hawthorn Pre-School playground and surrounds upgrade works.

Estimated Cost of upgrade:

As previously advised, the School has raised around \$14,000 to date and has requested the Town contribute towards the improvements.

The estimated cost of implementing the works is as follows:

• Tree removal/pruning	\$850.00
• Playground (site works)	\$900.00
• Soil removal/disposal	\$800.00
• Bitumen driveway (remove existing)	\$10,000.00
• Pathways	\$2,900.00
• Landscaping (soft)	\$1,500.00
• Limestone retaining	\$5,400.00
• Turf (supply & lay)	\$2,000.00
• Bore (domestic) & reticulation	\$8,000.00
• Playground equipment	\$9,900.00
• Playground sand (washed white)	\$1,100.00
• Fencing	\$1,500.00
• Shade sail	<u>\$3,500.00</u>

Total **\$48,350.00**

The Town would need to provide contributory funding of \$35,000.00 and, with the school's \$14,000.00, this would allow the entire improvement project to be completed.

Possible Funding Source

Funds are currently allocated in the 2006/2007 budget for "Mount Hawthorn Precinct - Area Wide Traffic Management" and no specific traffic management issues / projects are currently planned or have been identified in this area.

Traffic management/streetscape upgrade works were undertaken in Woodstock Street in 2005/2006 and substantial traffic management / streetscape upgrade works are currently being implemented in Fairfield Street north of Scarborough Beach Road.

Should any matters be identified in the second half of 2006/2007 by the time the matters are investigated, considered by the Local Area Traffic Management Advisory Group, etc., the works would not be implemented until 2007/2008, whereby specific funds would be listed for consideration during the budget process.

It is therefore considered that the \$35,000 identified could be reallocated to the Mount Hawthorn Pre-School playground and surrounds upgrade works.

COMMENTS:

The recent funding assistance provided to the Margaret Pre-School and subsequent improvement works undertaken by the Town was very much appreciated and, in view of the recent petition signed by a significant proportion of the local community, it is recommended that the Council approves the project.

Furthermore, whilst it is unfortunate that the works could not commence and be completed prior to the 2007 school year, if approved it is anticipated that the majority of works could proceed and be completed by the first term school holiday period.

10.1.1 Nos. 209-213 (Lots 1, 2, 3 and 44) Bulwer Street, Dual Frontage to Edith Street, Perth - Proposed Demolition of Existing Two (2) Single Houses, Warehouses and Shop and Construction of Three (3) Storey Mixed Use Development Comprising Six (6) Grouped Dwellings and Three (3) Offices

Ward:	South	Date:	13 December 2006
Precinct:	Hyde Park; P 12	File Ref:	PRO0832; 5.2006.384.1
Attachments:	001 002 003		
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 BY AN ABSOLUTE MAJORITY the application submitted by G J Davies on behalf of the owner Pride Land Holdings Pty Ltd for proposed Demolition of Existing Two (2) Single Houses, Warehouses and Shop and Construction of Three (3) Storey Mixed Use Development Comprising Six (6) Grouped Dwellings and Three (3) Offices, at Nos. 209-213 (Lots 1, 2, 3 and 44) Bulwer Street, dual frontage to Edith Street, Perth, and as shown on revised plans stamp-dated 16 November 2006, subject to the following conditions:

- (i) prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (ii) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$1688 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (iii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (iv) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$28,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$28,000, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers.*

The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

- (v) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (vi) *first obtaining the consent of the owners of Nos. 205 Bulwer Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 205 Bulwer Street if applicable and the wall adjacent to the right-of-way in a good and clean condition;*
- (vii) *any vehicular gates to the car park shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the Development;*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *any vehicular gate adjacent to the right-of-way being a minimum 50 percent visually permeable when viewed from the right-of-way;*
 - (b) *the height of buildings being a maximum of 10 metres from the natural ground level;*
 - (c) *the two (2) commercial/offices and one (1) residential visitor car parking spaces being clearly marked as such, located close to and clearly signposted or visible from the point of entry to the development; and*
 - (d) *the awnings being a minimum height of 2.75 metres from the Bulwer Street footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Bulwer Street.*

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

- (ix) *prior to the first occupation of the development, one (1) class- one or two bicycle parking facility, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facility shall be submitted and approved prior to the installation of such facility;*
- (x) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (xi) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (xii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*

- (xiii) *doors, windows and adjacent floor areas on the ground floor fronting Bulwer Street shall maintain an active and interactive relationship with this street;*
 - (xiv) *the maximum office floor space shall be limited to 148 square metres of gross floor area;*
 - (xv) *the provision of underground power along the Bulwer Street and Edith Street frontages to the property including the installation of street lighting along the Edith Street frontage, and all costs associated with the provision of this underground power and street lighting along Edith Street shall be met by the owner(s);*
 - (xvi) *the support/approval of the Department for Planning and Infrastructure and/or Western Australian Planning Commission, and compliance with its comments and conditions at the applicant(s)/owner(s)' full expense;*
 - (xvii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
 - (xviii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
 - (xix) *the car parking area shown for the commercial/offices tenancies shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
 - (xx) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
 - (xxi) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) *the Town of Vincent will not issue a visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development; and*
- (xxii) *any new street/front wall, fence and gate between the Edith Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*

- (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
- (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Moved Cr Maier, Seconded Cr Ker

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

“(viii) (e) the residential car parking for each unit being clearly marked that it is for the exclusive use of the respective residential unit.”

Debate ensued.

Journalist - Lindsay McPhee left the meeting at 8.35pm.

AMENDMENT CARRIED 9-0)

Debate ensued.

Cr Farrell departed the Chamber at 8.36pm.

Cr Farrell returned to the Chamber at 8.37pm.

MOTION AS AMENDED CARRIED
BY AN ABSOLUTE MAJORITY (6-3)

For

Mayor Catania
Cr Doran-Wu
Cr Farrell
Cr Maier
Cr Messina
Cr Torre

Against

Cr Chester
Cr Ker
Cr Lake

COUNCIL DECISION ITEM 10.1.1

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by G J Davies on behalf of the owner Pride Land Holdings Pty Ltd for proposed Demolition of Existing Two (2) Single Houses, Warehouses and Shop and Construction of Three (3) Storey Mixed Use Development Comprising Six (6) Grouped Dwellings and Three (3) Offices, at Nos. 209-213 (Lots 1, 2, 3 and 44) Bulwer Street, dual frontage to Edith Street, Perth, and as shown on revised plans stamp-dated 16 November 2006, subject to the following conditions:

- (i) prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (ii) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$1688 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (iii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (iv) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$28,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$28,000, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (v) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (vi) first obtaining the consent of the owners of Nos. 205 Bulwer Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 205 Bulwer Street if applicable and the wall adjacent to the right-of-way in a good and clean condition;*
- (vii) any vehicular gates to the car park shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the Development;*

- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *any vehicular gate adjacent to the right-of-way being a minimum 50 percent visually permeable when viewed from the right-of-way;*
 - (b) *the height of buildings being a maximum of 10 metres from the natural ground level;*
 - (c) *the two (2) commercial/offices and one (1) residential visitor car parking spaces being clearly marked as such, located close to and clearly signposted or visible from the point of entry to the development;*
 - (d) *the awnings being a minimum height of 2.75 metres from the Bulwer Street footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Bulwer Street; and*
 - (e) *the residential car parking for each unit being clearly marked that it is for the exclusive use of the respective residential unit;*
- The revised plans shall not result in any greater variation to the requirements of the Town's Policies and the Residential Design Codes;*
- (ix) *prior to the first occupation of the development, one (1) class- one or two bicycle parking facility, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facility shall be submitted and approved prior to the installation of such facility;*
 - (x) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
 - (xi) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
 - (xii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (xiii) *doors, windows and adjacent floor areas on the ground floor fronting Bulwer Street shall maintain an active and interactive relationship with this street;*
 - (xiv) *the maximum office floor space shall be limited to 148 square metres of gross floor area;*
 - (xv) *the provision of underground power along the Bulwer Street and Edith Street frontages to the property including the installation of street lighting along the Edith Street frontage, and all costs associated with the provision of this underground power and street lighting along Edith Street shall be met by the owner(s);*
 - (xvi) *the support/approval of the Department for Planning and Infrastructure and/or Western Australian Planning Commission, and compliance with its comments and conditions at the applicant(s)/owner(s)' full expense;*
 - (xvii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*

- (xviii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xix) *the car parking area shown for the commercial/offices tenancies shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xx) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xxi) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
- (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) *the Town of Vincent will not issue a visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

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

Landowner:	Pride Land Holdings Pty Ltd
Applicant:	G Davies Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Local Centre
Existing Land Use:	Two (2) single houses, warehouses and shop
Use Class:	Office Building and Grouped Dwellings
Use Classification:	"P" and "AA"
Lot Area:	810 square metres
Access to Right of Way	West side, 4.2 metres wide, sealed, Town owned

BACKGROUND:

6 December 1999 Council at its Ordinary Meeting approved the change of use from office/warehouse to vehicle sales premises.

DETAILS:

The proposal involves demolition of the existing 3 buildings on site and construction of a three (3) storey mixed use development consisting of offices on the ground floor facing Bulwer Street and 3 grouped dwellings above the offices, and an additional three grouped dwellings facing Edith Street, with all vehicular access off western side right-of way.

The applicant's response to the matters raised in the submissions received during the consultation period are as follows:

- *"All care has been taken to ensure the façade facing Edith Street is only 2 storeys.*
- *The three story section is set well back from the street and in fact a more appropriate description would be a mezzanine floor.*
- *Privacy will not be compromised by the 3 storey section as effective floor space is stepped well back than the façade and has a balcony roof prohibiting downward vision.*
- *All setback distances and provisions for overlooking are complied with in this proposal.*
- *Due to their location the 3 storey sections will not adversely affect the amenity of the precinct in terms of privacy, scale and bulk.*
- *As the building presents a 2 storey façade to both Edith and Bulwer Streets, this building will not adversely affect the current streetscapes.*
- *Due to the nature of this proposed building with generous balconies to the streets it will in fact contribute positively.*
- *The comment "numerous heritage buildings" in the area is subjective. There are 2 buildings on the Municipal Heritage Register in the immediate vicinity of this proposed development (houses on the opposite side of Bulwer Street).*
- *The treatment of the Edith Street façade is sympathetic to the street with the upper level balconies, an entry terrace area and no garage doors.*
- *Due to the access from the ROW for this proposal, these issues will have a negligible adverse affect on the amenity of the area. In fact the opposite with a vehicle access and crossover is being eliminated from Edith Street.*
- *Due to the site being bordered by streets, overshadowing, as evidenced by the diagram submitted, will not occur.*
- *'Confinement' is a subjective issue and whatever feeling this may elicit will be more than compensated for by the generous balconies.*

- *this development is not out of character with the neighbourhood and the Hyde Park Precinct Policy allows flexibility where performance criteria have been met. Particularly where sensitive issues have been addressed and other factors are utilized to improve amenity, like removing crossovers and vehicle access from main streets and accessing common car space from the ROW.*
- *This proposal is similar to the adjoining building which also extends between Bulwer and Edith Streets. This proposal, however, offers the improvements of more usable balconies, no vehicle access from Bulwer and Edith Streets, and a softer interface at the pavement level."*

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65 or 522 square metres	1.28 or 1029 square metres	Supported- as in mixed use development sites, if too high standards are imposed, there is a probability that this would discourage the concept of mixed use developments. In the past, for mixed use developments, the Town has considered higher plot ratios provided that the "total development" fits in with the surrounding development and the likely benefits to be achieved by such integrated developments, such as this proposal.
Density	4.46 grouped dwellings, R 60 (for multiple dwellings it is R80).	6 grouped dwellings, R 74 with a density bonus of 33 per cent.	Supported- the development as designed would benefit the area without undue adverse impact to the surround amenity, in terms of bulk and scale. The proposal also involves removal of a previous mountable kerb, used to access the site off Bulwer Street, which is an "Other Regional Road Reservation" and would qualify for a density bonus under Clause 20 of Town of Vincent Town Planning Scheme No.1.

Open Space	45 per cent or 361 square metres	6.9 per cent or 56.1 square metres.	Supported- as in similar mixed used development, where multiple dwellings are allowed, the open space for residential development can be reduced to "Nil".
Stores	4 square metres and 1.5 metres minimum dimension	4 square metres and 0.7 metre dimension.	Supported - as the variation to the depth and size of three (3) of the six (6) stores is considered acceptable as the proposed development forms part of a mixed use development where the needs of the residents would not be as great as compared to residents/occupiers within a solely residential development. The R Codes explanatory notes further state that provisions or standards for mixed use developments should not seek to impose too "high" standard so as to discourage the concept of mixed use development. The reduction in the size of the stores is considered not to be detrimental to the amenity of the locality or the occupiers of the development.
Height of Building	10 metres	10.956 metres	Not supported- as undue impact on the amenity of the area and there is opportunity to comply with the 10 metres height limit associated with three (3) storey buildings with concealed roofs.

Consultation Submissions		
Support	Nil	Noted
Objection (4)	<ul style="list-style-type: none"> The 3 storey development facing Edith Street is too high for the area, and would result in a loss of privacy, with overlooking into entire backyard, laundry/kitchen area. 	Not supported – as the subject Local Centre allows for 3 storey development and (lofts) to be considered, provided the amenity of the adjacent residential area is protected in terms of privacy, scale and bulk, in which this development complies with.
	<ul style="list-style-type: none"> The over height building will adversely affect the streetscape which is mainly made of single and two-storey development, and character of the area in which are numerous heritage buildings. 	As above.
	<ul style="list-style-type: none"> Over concentration of dwellings will adversely affect the general amenity of the area by increasing traffic, parking, rubbish bins and use of a small area. 	Not supported - as the mixed used development can be built with Nil open space.
	<ul style="list-style-type: none"> Proposed development allows for only one-fifth of open space built and scale will result in a feeling of confinement, and over shadow adjacent residents. 	As above.
	<ul style="list-style-type: none"> The approval of a non-compliant development will set a precedent for other out of character development, and not comply with the Hyde Park Precinct Policy Statement. 	Not supported - as all development are assessed on an individual merit basis.
	<ul style="list-style-type: none"> Reduction in car parking is not supported, as it will result in increase in traffic in the area. 	Not supported - as the car parking for the above site is now compliant with the Town's requirements.
Other Implications		
Legal/Policy		TPS 1, associated Policies and Residential Design Codes.
Strategic Implications		Nil
Financial/Budget Implications		Nil

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

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

Residential Car Parking

Car parking requirements for the residential component of the development have been calculated using the requirement for grouped dwellings from the Residential Design Codes (R Codes). The residential component above the offices requires 3 car bays (based on 1 car bay per dwelling), and the 3 grouped dwellings facing Edith Street require 6 car bays and a residential visitor car bay, resulting in a total of 10 car bays.

A total of 12 car bays have been provided for the entire development, therefore, resulting in two (2) car bays available for the commercial component.

Commercial Car Parking

Requirements as per Parking and Access Policy	Required
Total car parking required before adjustment factor (nearest whole number) Office-1 car bay per 50 square metres gross floor area (proposed 148 square metres)= 2.96 car bays.	3 car bays
Apply the parking adjustment factors. <ul style="list-style-type: none"> ▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area is residential) ▪ 0.85 (within 400 metres of a bus stop) 	(0.68) 2.04 car bays
Car parking provided on-site for commercial component	2 car bays
Resultant shortfall	0.04 car bay

If the resultant shortfall is less than or equal to 0.5 car bays, no parking bays or cash-in-lieu of parking is required for the shortfall.

Bicycle Parking Facilities

Requirements	Required	Provided
Office 1 per 200 (proposed 148) square metres public area for employees (class 1 or 2). 1 space per 750 square metres over 1000 square metres for visitors.	0.74 space N/A	No bicycle parking shown on plans. N/A

COMMENTS:

The proposal has been referred to the Western Australian Planning Commission (WAPC) as the proposal abuts Bulwer Street, which is classified as an "Other Regional Road" and also due to regional implications. The Town has not received a response from the WAPC, at the time this Agenda report was prepared.

Demolition

Full heritage assessments for the subject places are contained within attachments to this report.

The subject places at Nos. 209 -211 Bulwer Street are a semi-detached pair of Federation Cottages, which were built circa 1905. The place at No. 213 Bulwer Street was built circa 1920 in the Inter-war Retail style of architecture.

Both places have been subject to numerous alterations and additions of the years, which have distorted the original form, presentation and function. The subject places are not rare and are considered to be of little aesthetic, historic, scientific and social value. The places are not considered to meet the threshold for consideration of entry on the Town's Municipal Heritage Inventory.

In light of the above, it is recommended that approval be granted for the demolition of the places at Nos. 209 -213 Bulwer Street, subject to a quality archival record and other standard conditions.

Residential Component

For mixed use developments within areas where multiple dwellings are not allowed, where residential development are proposed above ground floor commercial development, these developments can be considered as either grouped or multiple dwellings. To facilitate development of these sites, which would otherwise not be able to be developed as mixed use sites, these sites should be treated as grouped dwellings, on the basis that the residential dwellings are self contained and do not involve further self contained residential above or below them.

Conclusion

The application is considered acceptable and would not result in any undue impact on the amenity of the surrounding area. The application is, therefore, supported subject to standard and appropriate conditions to address the above matters.

At 8.38pm The Presiding Member called a five (5) minute adjournment.

At 8.56pm The meeting resumed with all Elected Members, the CEO, Executive Managers and Minutes Secretary present.

The Presiding Member requested Council to consider Item 10.1.2 relating to 148 Carr Street, West Perth being recommitted.

The CEO advised that a recommittal of the Item was possible and if carried, the Council could reconsider the matter.

Cr Maier departed the Chamber at 8.57pm.

As Cr Maier had departed the Chamber, Item 10.1.2 could not be considered for recommittal as it would be contrary to Standing Orders.

The CEO advised that the matter would be dealt with under Delegated Authority.

10.1.10 Progress Report No. 1 – Sustainable Environment Plan 2006 -2011

Ward:	Both Wards	Date:	12 December 2006
Precinct:	All Precincts	File Ref:	PLA0175
Attachments:	-		
Reporting Officer(s):	K Batina		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES Progress Report No. 1 relating to the Town of Vincent’s Sustainable Environment Plan 2006 -2011; and*
- (ii) *ADOPTS the following recommendations in response to the Sustainable Advisory Group’s resolutions;*
 - (a) *the final draft Sustainable Environment Plan 2006 – 2011 be presented to an Ordinary Meeting of Council no later than 27 February 2007 with the recommendation to advertise the Plan for Public Comment;*
 - (b) *the Implementation Plan be prepared following the adoption of the Sustainable Environment Plan 2006 – 2011 no later than April 2007;*
 - (c) *the draft Implementation Plan be referred to the Sustainability Advisory Group for consideration and comment prior to the Council considering and determining the Implementation Plan; and*
 - (d) *a maximum of two (2) workshops be conducted with the community as part of the preparation of the Implementation Plan.*

COUNCIL DECISION ITEM 10.1.10

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an update with respect to the progress of the development and preparation of the Sustainable Environment Plan 2006-2011, and an overview of the comments received from the Sustainable Advisory Group.

BACKGROUND/DETAILS:

The Council at its Ordinary Meeting held on 22 August 2006 considered the draft Sustainable Environment Plan 2006-2011 and resolved the following in relation to Item 10.4.7 – Sustainable Environment Plan 2006 – 2011;

“That the Draft Sustainable Environment Plan 2006 - 2011 as shown in Appendix 10.4.7 be referred to the Sustainability Advisory Group for its consideration and comment prior to Council approving the Plan.”

CONSULTATION/ADVERTISING:

None required at this stage.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

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

- *“1.1.2 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision;*
- *1.1.4 Minimise negative impacts on the community and environment.”*

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

As resolved by the Council, the Sustainability Advisory Group convened on 27 September 2006 to discuss the Draft Sustainable Environment Plan. Following is a summary of the comments and recommendations made at the meeting, and further comments and recommendations provided by the Town’s Officers on the next course of action.

In brief, the principle comments made at the Sustainable Advisory Group’s meeting are as follows:

- *‘The draft Plan comprises a number of good suggestions and is viewed as a good start to a much more complex and involved process.*
- *The role of the community and the contribution it can make to implement these actions and objectives of the Plan needs to be recognised and more greatly concentrated on.*
- *The Demonstration Home is considered to be a good idea but an expensive option for the promotion of the Plan and the associated initiatives and is therefore not supported.*
- *The Plan needs to be further developed and more detail provided in regard to how the initiatives and actions are going to be implemented.*
- *The five year timeframe of 2006 to 2011 is considered a bit long range considering that there is no associated Implementation Plan.*

- *The Sustainable Environment Plan will need to be actively promoted and marketed, such as entry signage into the Town, promotion boards etc.*
- *Workshop(s) should be held with the community covering broad themes of the Plan.*
- *Incentives and associated Policies could be developed, similar to Heritage Policies, for energy and environmental innovative designs with bonuses for density and plot ratio.*
- *Energy awareness programs could be devised and carried out within the community.*
- *The key action should be to provide a portal to the community and provide links to external websites detailing sustainable strategies and information.*

The resolution of the Sustainability Advisory Group was:

- that the consultation be in excess of 21 days and to include workshops;*
- the Draft Plan to be amended to address the comments made at the Sustainable Advisory Group Meeting;*
- an additional meeting of the Sustainability Advisory Group to discuss amendments, review and consider actions, measures and indicators;*
- process to include (i) above; and*
- framework of activities and organisations (ie: Town of Vincent's place in overall Sustainability).'*

In response to the matters discussed at this meeting and the resultant resolutions, the Town's Officers recommend that the following course of action be undertaken:

- The Draft Sustainable Environment Plan be reviewed in light of the comments raised at the Sustainable Advisory Group's meeting and a final draft Plan be prepared.
- The final draft Plan is tabled at an Ordinary Meeting of Council *no later than 27 February 2007* with the recommendation to advertise the Plan in accordance with the Sustainable Advisory Group's meeting resolution.
- That it be implicitly stated in the report to the Council that an Implementation Plan will be developed and finalised *following* the adoption of the Draft Sustainable Environment Plan 2006-2011.
- The Sustainable Advisory Group and Town's Officers re-convene to determine the best course of action in respect to activities, and workshopping of the Plan, as part of the preparation of the Implementation Plan.
- Following advice from the Sustainable Advisory Group, in-house meetings will be held with the internal Sustainable Environment Plan Steering Group to finalise the draft Implementation Plan, *no later than April 2007*.
- Consideration being given to additional resource allocation and those associated costs, to oversee the preparation of the Implementation Plan for the Sustainable Environment Plan.

In addition to those Officer recommendations made herewith, the following comments are also made in response to some of the matters discussed at the Sustainable Advisory Group's meeting.

Draft Sustainable Environment Plan and Implementation Plan

It is strongly recommended that progression of the Draft Sustainable Environment Plan (SEP) continue and that it not be delayed by the preparation of the Implementation Plan. As implied within the Draft SEP, the Implementation Plan will comprise the more detailed component of the SEP, and its preparation and compilation will require a greater timeframe than that given to prepare the draft SEP.

It is also recommended that the Draft SEP focus on the broader focus areas and that the Implementation Plan address the actions and timeframes in greater and more specific detail.

Community Workshops

It is recommended that a maximum of two (2) workshops be conducted with the community as part of the preparation of the Implementation Plan. In addition to interested community members, it is also recommended that invitations to attend the workshop(s) be extended to neighbouring local government authorities, and the precinct groups.

Communication Strategy

A communication strategy will need to be devised as part of publicising and marketing the Sustainable Environment Plan to the wider community. As suggested by the Sustainable Advisory Group, promotional activities such as entry signage into the Town publicising the Town's commitment to the environment and promotion boards at the Town and in selected shopping precincts should be investigated.

In-house discussions will be held with the Heritage Officers to ascertain the experience of workshops and implementing the Communication Strategy in relation to the Municipal Heritage Inventory.

The Sustainable Advisory Group (SAG) re-convened on 20 November 2006, to further discuss the progress and direction of the SEP. Following is the resolution made by the SAG;

- (i) *A progress report on the Sustainability Environment Plan be presented to Council in December 2006;*
- (ii) *The next meeting of the SAG be re-convened in February 2007;*
- (iii) *The Draft Implementation Plan be presented to a future meeting of the SAG; and*
- (iv) *A report addressing the 'Notice of Motion - Investigation of Renewable Energy for Use by the Town' be distributed to members of the SAG one (1) week prior to the next meeting.'*

The final Draft SEP addressing comments made by members of the Sustainable Advisory Group will be presented to an Ordinary Meeting of Council no later than 27 February 2007.

In relation to item (iii) of the SAG resolution, and as previously stated in this report, the Implementation Plan will be prepared *following* the adoption of the Sustainable Environment Plan. It will therefore be unlikely that the Implementation Plan will be finalised or available for the Sustainable Advisory Group to review until at least April 2007.

Item (iv) which relates to the Notice of Motion relating to investigating renewable energy for use by the Town, is being dealt with independently of the SEP, with an internal Working Group having been formed to address this matter specifically.

In light of the above, it is recommended that the Council receives this report and considers the Officer Recommendation.

10.2.3 Proposed Redevelopment Options - Axford Park, Mount Hawthorn

Ward:	North	Date:	12 December 2006
Precinct:	Mt Hawthorn P1	File Ref:	RES0049
Attachments:	001		
Reporting Officer(s):	R Lotznicker, J van den Bok		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the proposed redevelopment options for Axford Park, Mount Hawthorn;*
- (ii) *CONSIDERS the four (4) possible redevelopment Options for Axford Park as outlined on Plan Nos 2448-CP-1 to 4 as attached;*
- (iii) *CONSULTS about all four (4) options, commencing in late January/February 2007 with residents and ratepayers, the Mount Hawthorn Precinct Group and the Mt Hawthorn branch of the Returned and Services League of Australia WA Branch Inc. (RSL), requesting their comments on the options presented and allowing them 21 days in which to provide a response; and*
- (iv) *NOTES that a further report will be submitted at the conclusion of the consultation period.*

Moved Cr Farrell, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Moved Cr Torre, Seconded Cr Ker

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

- “(iii) *CONSULTS about all four (4) options, subject to plans for Options 1 and 2 being amended to indicate the proposed Canary Island Date Palm in centre of the round-a-bout as being optional, commencing in late January/February 2007 with residents and ratepayers, the Mount Hawthorn Precinct Group and the Mt Hawthorn branch of the Returned and Services League of Australia WA Branch Inc. (RSL), requesting their comments on the options presented and allowing them 21 days in which to provide a response; and”*

AMENDMENT CARRIED (9-0)

Debate ensued.

Moved Cr Torre, Seconded Cr Ker

That the Motion be put.

PROCEDURAL MOTION CARRIED (6-3)

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

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.2.3

That the Council;

- (i) *RECEIVES the report on the proposed redevelopment options for Axford Park, Mount Hawthorn;*
- (ii) *CONSIDERS the four (4) possible redevelopment Options for Axford Park as outlined on Plan Nos 2448-CP-1 to 4 as attached;*
- (iii) *CONSULTS about all four (4) options, subject to plans for Options 1 and 2 being amended to indicate the proposed Canary Island Date Palm in centre of the round-a-bout as being optional, commencing in late January/February 2007 with residents and ratepayers, the Mount Hawthorn Precinct Group and the Mt Hawthorn branch of the Returned and Services League of Australia WA Branch Inc. (RSL), requesting their comments on the options presented and allowing them 21 days in which to provide a response; and*
- (iv) *NOTES that a further report will be submitted at the conclusion of the consultation period.*

PURPOSE OF REPORT:

The purpose of this report is to present several redevelopment options to the Council for Axford Park in Mt Hawthorn.

BACKGROUND:

Axford Park in Mount Hawthorn was upgraded in March/April 2001 to facilitate ANZAC day commemorations. The following is a chronological order of decisions made and actions undertaken leading up to and beyond the current upgrade.

11 May 1998

A Notice of Motion was presented to Council recommending that the existing building at Axford Park be demolished. The motion was defeated.

14 March 2000

The Council decided to commemorate Thomas Leslie Axford, V.C. M.M by proposing to carry out certain improvements in Axford Park, Mt Hawthorn.

10 October 2000

The Council adopted a Concept Plan for the park upgrade and the construction of a War Memorial at Axford Park and resolved to advertise the plan for public comment for 21 days and requested that the war memorial be further developed in liaison with the Mt Hawthorn branch of the Returned and Services League of Australia WA Branch Inc. (RSL);

21 November 2000

The Council *approved* the Axford Park Redevelopment proposal and requested that the proposal include a ceremonial path and saluting dias, fronting Edinboro Street. The Council further requested that a further report be presented to Council regarding a proposal for the existing rest rooms and proposed self cleaning toilet facility on the site.

5 December 2000

The Council considered a *recision* motion for the "demolition of the toilet" due to considerable public concern over illicit use of the toilet block and its negative affect on the amenity of the area. The Motion was subsequently lost.

The upgrade works were subsequently carried out in February / March 2001 as shown on attached Plan No. A4-00-109/A.

12 June 2001

The Council considered a further report and was advised that during public consultation for the park redevelopment, a large number of respondents raised concerns regarding the illicit use of the toilet. A petition signed by thirty one (31) persons was also received, objecting to the retention of the existing toilets and requesting that the existing facility be replaced with a self cleaning unisex toilet as originally proposed. The item was subsequently *deferred* for further clarification.

26 June 2001

The Council requested that a further report be presented to the Council at the end of the public consultation period to determine the future of the existing rest rooms at Axford Park.

28 August 2001

Following community consultation, the officers recommended that the existing rest rooms be demolished and that a rotunda/gazebo installed. The motion was subsequently lost as it was considered at the time that it was *not financially prudent to demolish a good toilet facility and that the toilet was functional and met the needs of the local community.*

DETAILS

The Axford Park toilet block comprises a brick and tile building which houses:

- Separate male and female toilets
- A small store room
- An open rest/seating area facing Scarborough Beach Road

The building was constructed in the 1950s and is structurally sound. Minor additions to the building were carried out by the former City of Perth to screen the entrances to both the male and female toilets. In 2001 the Town carried out some brick paving works around the building as part of the Park improvements.

In 2001, during the community consultation for the park redevelopment, a large number of respondents raised concerns regarding the illicit use of the facility. Of the 454 letters distributed at the time, 114 responses were received, with 77% of respondents wanting the existing toilets removed. In addition, a petition signed by thirty one (31) persons was received, objecting to the retention of the existing toilets and requesting that the existing facility be replaced with a self cleaning unisex toilet.

Also in 2001 the Town's former Safer Vincent Co-ordinator suggested that various strategies be implemented to address some of the problems associated with the existing toilets. The investigations focussed on concerns that the toilets were attracting men seeking other men for anti social behaviour, however, it was conceded that complete eradication of the behaviour would not be an achievable outcome in the short term unless the toilets were removed.

Note: In 2001, to alleviate these problems, the toilets were subsequently locked and have been locked daily between 3.30pm and 7.30am ever since.

Axford Park - Proposed Redevelopment Options:

The Council has allocated \$50,000 in the current (2006/2007) budget for Axford Park - Toilet Demolition and replacement landscaping. The officers have prepared four (4) options for the consideration of the Council. The options are as follows:

OPTION 1 (Plan No 2448-CP-1)

- Demolish existing building
- Relocate memorial to site of previous building
- Landscape new memorial site
- Canary Island palm and seating to be located at previous memorial site

Estimated Cost: \$72,000

OPTION 2 (Plan No 2448-CP-2)

- Demolish existing building
- Relocate memorial to site of previous building
- Landscape new memorial site
- Canary Island palm and seating to be located at previous memorial site
- Install self cleaning toilet

Estimated Cost: \$162,000

OPTION 3 (Plan No 2448-CP-3)

- Demolish existing building
- Construct gazebo on site of former building
- Landscape around new gazebo

Estimated Cost: \$55,000

OPTION 4 (Plan No 2448-CP-4)

- Demolish existing building
- Landscape site of former building

Estimated Cost: \$40,000

Some of the works contained in the four (4) options are discussed as follows:

Demolition of Building (Options 1 and 2)

The existing building divides the relatively small park in two. In its current form, the building is not very functional as has been experienced during Anzac Day ceremonies where the building does not provide suitable shelter from the inclement weather nor does it provide a suitable venue for serving light refreshments due to the closed nature of the existing design and the building's orientation.

The demolition would result in the loss of a storeroom, rest area and toilet facilities. As previously advised, the building is in good structural condition and demolition on the grounds of its "condition" would be difficult to justify, however, in 2001 it was identified that over \$55,000 needed to be expended on the building.

Relocation of the ANZAC Memorial (Options 1 and 2)

It has been suggested that if the building were to be demolished, the existing ANZAC memorial could be relocated to the current building site. This would make the memorial the 'focal' point of the park and be visible along Oxford Street. The old memorial location could be landscaped, trees planted, etc.

Construction of Gazebo (Option 3)

Alternatively, should the existing building be demolished, a gazebo could be constructed on this site to provide an open vista through the park and provide a more functional facility for ceremonies such as ANZAC Day.

Self Cleaning 'unisex toilet' (Option 2)

As part of a staged upgrade, should the existing toilet be demolished, a self- cleaning unisex toilet facility could be constructed to offer the following:

- A safe environment for users
- Multiple safety system
- Access facilities for people with disabilities
- Automatic cleaning
- Automatic daily locking and unlocking
- Reduced cleaning and maintenance costs
- Vandal resistant fixtures and surfaces
- Simple installation and easy relocation if required
- Statistics on usage provided digitally

Proposed Roundabout Scarborough Beach Road / Oxford Street

The Council, at its Ordinary Meeting held on 5 December 2006, considered a report on proposed streetscape improvements along Oxford Street, between Richmond Street and Scarborough Beach Road. The proposal included the future installation of a roundabout to replace the existing traffic signals at the intersection of Oxford Street and Scarborough Beach Road, opposite Axford Park.

It is considered that the future roundabout at this location would complement all of the proposed redevelopment options for Axford Park.

Planning Considerations - Mt Hawthorn

Mount Hawthorn lacks an identifiable gateway from its southern end, although the elements to achieve this are evident in the place and land surrounding Axford Park. Axford Park is surrounded by large areas of road reserve, which together, have the potential for much higher and more proficient use as a town square. It is considered that strengthening this quarter, in conjunction with the identified strategic development sites, will encourage a strong community focus and generator of human activity within the town centre generally.

It is envisaged that the town square would be located encircling a roundabout at the intersection of Scarborough Beach Road and Oxford Street. The entry statements into the town square and town proper along Scarborough Beach Road would comprise a pedestrian friendly thoroughfare where casual dawdling across the square would be acceptable. It is considered that the elements of the town square would include several strategic development sites in addition to significant municipal investment centring on Axford Park (Square) and associated streetscape works

Discussion

Residents have previously expressed concerns regarding the anti-social behaviour in and around the existing toilets. The Town's previous Safer Vincent Co-ordinator suggested some strategies to help address this behaviour, which resulted in the toilets being locked between 3.30pm and 8.00am daily since 2001 (excluding weekends).

The Council has now allocated \$50,000 in the 2006/2007 budget for demolition of the building on Axford Park. Given that the toilets are locked for extended periods of time, is there a need for this facility in Axford Park? Also, is the ANZAC memorial suitably located in the park?

The plans, prepared by the officers, present options for the Council's consideration should there be a desire to further upgrade this small park in Mt Hawthorn.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.5 Enhance and maintain parks and community facilities. *(b) Implement infrastructure improvements for public open space, including the Wetlands Heritage Trail and the Greenway.*

FINANCIAL/BUDGET IMPLICATIONS:

The Council has allocated \$50,000 in the current (2006/2007) budget for Axford Park - Toilet Demolition and replacement landscaping.

COMMENTS:

Axford Park forms the eastern and northern gateway to Mt Hawthorn and it should reflect the suburb's unique flavour of community, family, heritage, beautiful gardens, and shopping village.

In 2001 the park was upgraded and a memorial was located at the eastern end of the park to commemorate ANZAC day.

Whether the existing building should be retained or demolished has been the subject of debate, on and off, for the last eight years and various reports on the matter have been considered by the Council.

Funds have been allocated in the 2006/2007 budget for demolition of the building. This report outlines four (4) possible redevelopment options for the Council's consideration and it is recommended that the Council's views be sought on the four (4) options.

Mayor Catania and Cr Messina departed the Chamber at 9.20pm as they had declared a financial interest in Item 10.3.3. However, as Item 10.3.1 required consideration first, they returned to the Chamber at 9.21pm.

10.3.1 Financial Statements as at 30 November 2006

Ward:	Both	Date:	8 December 2006
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officer(s):	Bee Choo Tan		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Reports for the month ended 30 November 2006 as shown in Appendix 10.3.1.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Maier, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Lake

That a new clause be added as follows:

“(ii) REQUESTS the Chief Executive Officer to prepare a report on the current financial status of the East Perth Football Club for the next Ordinary Meeting of Council.”

Debate ensued.

The Presiding Member that the proposed amendment was unclear and requested that Cr Maier withdraw it, with the consent of the seconder.

Cr Maier withdrew the proposed amendment with the consent of the seconder and the Council.

AMENDMENT WITHDRAWN

The Executive Manager Corporate Services, Mike Rootsey provided an explanation on the outstanding debts and that these would be followed up.

MOTION CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to present the financial statements for the month ended 30 November 2006.

BACKGROUND:

The Local Government Act and Local Government (Financial Management) Regulations 1996 require monthly reports and quarterly financial reports to be submitted to Council. The Financial Statements attached are for the month ended 30 November 2006.

DETAILS:

The Financial Statements comprise:

- Operating Statement
- Summary of Programmes/Activities
- Capital Works Schedule
- Balance Sheet (Statement of Financial position) and Statement of Changes in Equity
- Reserve Schedule
- Debtor Report
- Rate Report
- Beatty Park Report – Financial Position
- Statement of Financial Activity
- Net Current Asset Position
- Variance Comment Report

Operating Statement and Detailed Summary of Programmes/Activities

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

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

Operating Revenue

Operating revenue is currently 102% of the month of November Budget estimate.

General Purpose Funding (Page 1)

General Purpose Funding is showing 101 % of the budget levied to date. This is due to rates being levied for the financial year; the rates revenue represents 100% of the budgeted amount for the rates income.

Governance (Page 2)

Governance is showing 298 % of the budget received to date; this is due the sale of electoral rolls.

Law Order & Public Safety (Page 3)

Revenue is showing a variance of 97 % of the budget to date. The dog licences were issued in Oct and most payment received in Nov 06.

Health (Page 4)

Health is showing 98 %, this is due to 304 Health Licences being issued for Lodging Houses, Eating Houses and Alfresco dining.

Education & Welfare (Page 5)

Education and Welfare is showing 76 % of the budget, the Town did not receive the \$25,000 operating surplus budget expected from Leederville Garden Retirement Village and there the delay of insurance recoup to the month of December.

Community Amenities (Page 6)

Community Amenities is 166 % of the year to date budget, this is the result of 300 planning applications being processed to date and the issue of non rateable and commercial properties for their refuse charges.

Recreation & Culture (Page 9)

The total revenue for Recreation and Culture is on target at 99.5 % of their revenue budget. Beatty Park Leisure Centre revenue is 28 % of the total Recreation and Culture revenue budget and tracking along with the centre year to date budget of 97%.

Economic Services (Page 12)

Economic Services is 122 % over budget which is the 246 building licences issued to the month of November.

Operating Expenditure

Operating expenditure for the month of November is under budget at 94.9 %

Capital Expenditure Summary (Pages 18 to 24)

The Capital Expenditure summary details projects included in the 2006/07 budget and reports the original budget and compares actual expenditure to date against these. Capital works show total expenditure for November amount of \$2,130,715 which is 4% of the budget of \$55,231,388.

	Budget	Actual to Date	%
Furniture & Equipment	101,800	11,860	12%
Plant & Equipment	905,925	367,438	41%
Land & Building	43,623,350	132,988	1%
Infrastructure	10,600,313	1,618,429	15%
Total	55,231,388	2,130,715	4%

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

The statement shows the current assets of \$26,869,127 and non current assets of \$114,346,654 for total assets of \$141,215,781.

The current liabilities amount to \$3,799,044 and non current liabilities of \$14,567,910 for the total liabilities of \$18,366,954. The net asset of the Town or Equity is \$122,848,827.

Restricted Cash Reserves (Page 27)

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

Debtors and Rates Financial Summary

General Debtors (Page 28)

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

Sundry Debtors of \$410,094 are outstanding at the end of November. Of the total debt \$82,351 (20%) relates to debts outstanding for over 60 days. The Debtor Report identifies significant balances that are well overdue.

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

Rate Debtors (Page 29)

The notices for rates and charges levied for 2006/07 were issued on the 1 August 2006.

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

First Instalment	5 September 2006
Second Instalment	6 November 2006
Third Instalment	4 January 2007
Fourth Instalment	6 March 2007

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

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

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

Rates outstanding are \$3,474,178 which represents 22 % of the outstanding collectable income.

Beatty Park – Financial Position Report (Page 30)

As at 30 November 2006 the operating deficit for the Centre was \$175,251 in comparison to the budgeted year to date deficit of \$287,000 and annual deficit of \$639,155.

The cash position showed a current cash surplus of \$19,328 in comparison to the year to date budget of cash deficit of \$33,790 and an annual budget estimate of a cash deficit of \$81,056. The cash position is calculated by adding back depreciation to the operating position.

Statement of Financial Activity (Page 31)

The amount raised from rates for the year to date 30 November 2006 was \$15,080,193.

Net Current Asset Position (Page 32)

Variance comment Report (Pages 33 to 37)

The Chief Executive Officer advised that Mayor Catania and Cr Messina had declared a financial interest in the Item. Mayor Catania and Cr Messina departed the Chamber at 9.26pm and did not speak or vote on the matter.

Deputy Mayor - Cr Farrell assumed the Chair.

10.3.3 Investment Report as at 30 November 2006

Ward:	Both	Date:	1 December 2006
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	M Howard-Bath		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Investment Report for the month ended 30 November 2006 as detailed in attachment 10.3.3.

COUNCIL DECISION ITEM 10.3.3

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (7-0)

(Mayor Catania and Cr Messina were absent from the Chamber and did not vote.)

PURPOSE OF REPORT:

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

BACKGROUND:

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms as detailed in attachment 10.3.3.

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

DETAILS:

Total Investments for the period ended 30 November 2006 were \$21,369,949 compared with \$17,444,949 at 31 October 2006. At 30 November 2005, \$13,803,722 was invested.

Total accrued interest earned on Investments as at 30 November 2006:

	Budget	Actual	%
	\$	\$	
Municipal	370,000	206,965	55.94
Reserve	434,300	224,212	51.63

COMMENT:

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

The major contributing factor of the significant increase in funds held in investments over the level of funds held last year, is due to the receipt in November of the \$3.8M loan funds for the Underpower Project these funds will be called down over the twelve month period of the project.

Cr Messina returned to the Chamber at 9.27pm. Cr Chester had declared a proximity interest in this Item, however he had Council permission to remain in the Chamber during debate but not to vote.

10.3.6 Beatty Park Leisure Centre Redevelopment Objectives

Ward:	-	Date:	11 December 2006
Precinct:	-	File Ref:	TEN0344
Attachments:	-		
Reporting Officer(s):	M Rootsey		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the redevelopment objectives as outlined in the report for the redevelopment of the Beatty Park Leisure Centre;*
- (ii) *AUTHORISES the Chief Executive Officer to proceed with the next stage of the project as outlined in the timetable - investigation of options, investigation of funding sources and different models; and*
- (iii) *NOTES that progress reports on this project will be provided on a regular basis during 2007.*

COUNCIL DECISION ITEM 10.3.6

Moved Cr Torre, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Mayor Catania returned to the Chamber at 9.30pm and assumed the Chair.

Cr Farrell departed the Chamber at 9.31pm.

Cr Farrell returned to the Chamber at 9.32pm.

Cr Chester departed the Chamber at 9.32pm as he did not have permission to vote on the matter.

CARRIED (8-0)

(Cr Chester was absent from the Chamber and did not vote.)

PURPOSE OF REPORT:

The purpose of the report is present the high level objectives for the redevelopment of the Beatty Park Leisure Centre.

BACKGROUND:

At the Ordinary Council meeting of the 23 May 2006 Confidential Item 14.2, the following resolution was adopted.

“That the Council;

- (i) *DEFERS inviting any Respondents to submit a tender for the Operational Management Services of Beatty Park Leisure Centre, until;*
 - (a) *the extent of any proposed redevelopment has been determined by the Council;*
 - and*
 - (b) *the Key Objectives and other relevant issues for the Centre have been identified and determined by the Council;*
- (ii) *AUTHORISES the Chief Executive Officer to report back to the Council by December 2006 that;*
 - (a) *investigates and prepares Objectives for the redevelopment of Beatty Park Leisure Centre; and*
 - (b) *further investigates the key issues detailed in this report, which need to be considered and determined by the Council;*
- (iii) *ADVISES the Respondents of the Council’s decision; and*
- (iv) *NOTES the following Indicative Timeline:*

<i>May/June 2006</i>	<i>Appointment of Architect, formation of Working Group</i>
<i>June – December 2006</i>	<i>Determining objectives, other key matters, researching background details, different models</i>
<i>December 2006</i>	<i>Council to consider and approve of objectives for the proposed redevelopment</i>
<i>January 2007 – December 2007</i>	<i>Investigation of options, investigation of funding sources, different models</i>
<i>January 2008 – June 2008</i>	<i>Refinements of options, funding options, different models</i>
<i>June 2008 – December 2008</i>	<i>Community consultation concerning concept redevelopment plans</i>
<i>January 2009 – April 2009</i>	<i>Reports to Council, advertising of Major Land transactions (if required), approval of final plans. Council to further consider inviting tenders for the management of the Centre</i>
<i>April 2009 – May 2009</i>	<i>Calling of tenders for builders</i>
<i>June 2009</i>	<i>Award building tender – 12 month construction project</i>
<i>June 2009 – June 2010</i>	<i>12 month construction project.</i>

At the Ordinary Council Meeting of 28 March 2006 Item 10.3.3 the following resolution was adopted in regard to redevelopment of the Beatty Park Leisure Centre:

“That the Council;

- (i) RECEIVES the "Needs and Feasibility Study for the Future Redevelopment of the Beatty Park Leisure Centre 2004" as shown in Confidential Appendix 10.3.3, distributed separately to Elected Members and NOTES that the financial information is to be reviewed and corrected where necessary;*
- (ii) APPROVES IN PRINCIPLE for the redevelopment of Beatty Park Leisure Centre taking into consideration the options and comments outlined in the study detailed in clause (i), noting that no decision is made about the redevelopment concepts and further investigations of all other options and financial analysis will be required;*
- (iii) CONSIDERS that any redevelopment of Beatty Park Leisure Centre should consider and report on information provided by prospective operators that were considered during the EOI process for Beatty Park Leisure Centre;*
- (iv) NOTES;*
 - (a) that the "Needs and Feasibility Study for the Future Redevelopment of the Beatty Park Leisure Centre 2004" is to remain confidential until approved for release to the public by the Council, as it contains “commercially sensitive” information;*
 - (b) the redevelopment options detailed in the consultant's feasibility study and these and other options require further investigation;*
 - (c) the proposed redevelopment is scheduled to commence in the 2008/09 financial year (however this is subject to further review);*
- (v) AUTHORISES the Chief Executive Officer to;*
 - (a) further investigate sources of funds and financial models for the redevelopment project;*
 - (b) review the options, concept design and project brief taking cognisance of the Town's financial capacity for this redevelopment project; and*
 - (c) call a tender for Architectural Services and quotations for other consultants to progress the redevelopment of Beatty Park Leisure Centre;*
- (vi) LISTS for the consideration an amount of \$500,000 in the Draft Budgets for 2006/07, 2007/08 and 2008/09 to be placed in the Beatty Park Leisure Centre Reserve to part fund the future development of the Beatty Park Leisure Centre; and*
- (vii) REQUESTS that the Chief Executive Officer to provide regular progress reports on this matter.”*

DETAILS:

A Working Group was established to prepare high level objectives and which will provide guidance as to the direction that the redevelopment should take in accordance with the Council resolution.

The group comprised the following members:

Chief Executive Officer - John Giorgi
 Executive Manager Corporate Services - Mike Rootsey
 Manager Beatty Park Leisure Centre - Dale Morrissy
 Assistant Manager Operations Beatty Park Leisure Centre - Jeff Fondacaro
 Darren Monument - ABV Consulting (on an as required basis) - Darren Monument

The group met on four occasions in order to prepare the objectives. The group then met with the Chief Executive Officer to present their objectives and following further discussions agreed on the objectives as presented.

DRAFT BEATTY PARK LEISURE CENTRE KEY OBJECTIVES	
Element	Key Objective
Economic	
(i)	To deliver or facilitate the upgrading of the facility and infrastructure to meet the existing and future needs of the Centre and the Town.
(ii)	To identify and secure revenue, investment and cost sharing opportunities to fund infrastructure improvements.
(iii)	To maximise the financial performance of the Centre, which is balanced with quality service levels commensurate with industry "Best practice".
(iv)	To identify, foster and establish partnerships, alliances and synergies with key stakeholders.
(v)	Implement balanced pricing strategies which are a combination market rates together with concession that ensure affordability and access to a wide section of the community.
Environmental	
(i)	To deliver or facilitate a sustainable, functional, innovative and invigorated facility with a high level of amenity which is safe, healthy and attractive.
(ii)	To deliver or facilitate development that complements and respects the character and heritage of the centre, with special attention to the Heritage Act of Western Australia.
(iii)	To deliver or facilitate a sustainable' development that is 'best practice", high quality, innovative, and environmentally efficient.
(iv)	To deliver or facilitate appropriate provision of universal access, parking, and other facilities for users and visitors to the Centre.
(v)	To deliver or incorporate features and systems which are "environmentally friendly" and sustainable.
(vi)	To deliver or facilitate development and infrastructure that satisfies the technical requirements and performance criteria of the Town and relevant government agencies.
Social	
(i)	To deliver or facilitate a Centre for community and social activities where people can meet and interact.
(ii)	To deliver or facilitate a "community hub" through the provision of core and value added features and programs.

(iii)	To create a universally accessible and safe Centre, which provides activities that are diverse, accessible, safe and secure.
(iv)	To deliver or facilitate a range of services and opportunities to meet the needs of our diverse community.

The Needs Analysis and Feasibility Study conducted by ABV Consultants provided a detailed analysis of the requirements of the users and the main priorities that required to be redeveloped.

However as was evident from the architectural drawing provided in the feasibility study, there was a perceived lack of an overall direction for the Centre to provide an insight as to the direction the Centre should be going.

The objectives as presented outline high level objectives which are to provide the direction and guidance for any future redevelopment of the site.

At the Ordinary Council meeting of the 23 May 2006 Confidential Item 10.4.5, the following resolution was adopted.

“That the Council ACCEPTS the tender from Peter Hunt Architect for the Design Brief and Schematic Design stages only at an estimated cost of \$143,000 (including GST), as being the most acceptable and advantageous to the Town, for the provision of architectural services for the proposed Redevelopment of Beatty Park Leisure Centre, 220 Vincent Street, North Perth.”

The Chief Executive Officer and the Executive Team have met with Peter Hunt Architects to discuss the redevelopment and also the preparation of a potential Masterplan for the area, which may assist in the funding of the future development of the Centre.

It is anticipated that conceptual sketches for the preparation of a Masterplan of the Centre and the associated area are anticipated to be available to be presented to the Council in the first quarter of 2007.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

Plan for the Future - Strategic Plan 2006 - 2011
Strategic Objective 1 - Natural Built Environment

1.1 Improve and maintain environment and infrastructure

1.1.6 *Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment*

(i) *Complete feasibility study, investigate funding options and implement the redevelopment of Beatty Park Leisure Centre.*

FINANCIAL/BUDGET IMPLICATIONS:

The Strategic Financial Plan proposes that \$500,000 be allocated to the Beatty Park Reserve for period of three years to provide the Town of Vincent contribution towards the redevelopment other sources of funding will have to be determined to enable this project to proceed.

COMMENTS:

The objectives presented will provide a sound basis for the direction of the redevelopment to undertake these objectives together with the already completed Needs Analysis and Feasibility Study will provide sufficient information to undertake the preparation of the conceptual plans for the redevelopment. The objectives are therefore presented for Council approval.

Cr Chester returned to the Chamber at 9.33pm.

10.4.2 Adoption of Code of Conduct - 2006

Ward:	-	Date:	11 December 2006
Precinct:	-	File Ref:	ADM0050
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY the adoption of the Code of Conduct as detailed in Appendix 10.4.2.

COUNCIL DECISION ITEM 10.4.2

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

CARRIED BY AN ABSOLUTE MAJORITY (8-1)

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

PURPOSE OF REPORT:

The purpose of this report is for the Council to adopt the Code of Conduct for Elected Members and Employees.

BACKGROUND:

The Local Government Act 1995 requires every local government to prepare and adopt a Code of Conduct to be observed by Council Members and employees.

At the Ordinary Meeting of Council held on 7 November 2006, the Council resolved as follows;

"That the Council;

- (i) *APPROVES IN PRINCIPLE the adoption of an amended draft Code of Conduct as detailed in Appendix 10.4.3; and*

- (ii) *ADVERTISES the draft Code of Conduct for community consultation for a period of twenty-one (21) days and any comments or submissions be reported to the Council.*"

DETAILS:

There has been a recent need to review the Code of Conduct as a result of a recent complaint concerning the actions of a Councillor when dealing with a ratepayer enquiry concerning a development application. Whilst the complaint was not justified, it identified a need for the Code to be reviewed and amended to provide clarification and guidelines for "lobbying".

As a result, the Code has been substantially amended using the Department of Local Government's Guideline No 12 "Elected Members Relationship with Developers" (as reported to the Ordinary Meeting of Council held on 24 October 2006 - Item 10.4.3 - Information Bulletin) and the "Model Code of Conduct for Local Governments in NSW" as prepared by the NSW Independent Commission Against Corruption (ICAC) and adopted by the NSW Department of Local Government.

The Code has been amended, as follows:

1. Introduction

This Section has been expanded to include the new Key Principles of Integrity, Leadership, Selflessness, Objectivity, Accountability, Openness and Honesty.

It also removes the obligation for the Code to apply to community representatives on Town Advisory Groups as this was deemed unenforceable.

2. General Conduct Obligations

This Section expands and clarifies "General Conduct".

It clarifies the provisions to prohibit "Harassment and Discrimination" by listing examples.

It includes a new clause for "Development Decisions" and "Lobbying".

3. Personal Benefit

This section clarifies a "Gift of Hospitality" by giving examples.

4. Relationships between Elected Members and Employees

This section has been expanded to include a section of "Inappropriate Interactions" for Elected Members and Employees.

5. Dealing with Council Resources

This section has been expanded to clarify "Use of Local Government Resources", "Use of Town Property" and "Access to Council Buildings".

6. Access to Information

This is a new section to clarify "Use of Information".

CONSULTATION/ADVERTISING:

The Draft Code of Conduct was advertised in the local newspapers for twenty-one (21) days. Letters were sent to all Precinct Groups.

At the close of the community consultation period, no submissions were received.

LEGAL/POLICY:

The Local Government Act 1995, Section 5.103, states the following:

- “(1) Every Local Government is to prepare or adopt a Code of Conduct to be observed by Council Members, Committee Members and Employees.*
- (2) A Local Government is to review its Code of Conduct within 12 months after each ordinary election day and make changes to the Code, as it considers appropriate.”*

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011 Objective 4 - "*Leadership, Governance and Management*" – 4.1.1 Provide good strategic decision-making governance, leadership and professional management.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the Code of Conduct be adopted, as it will assist Elected Members and Employees to be better informed in their roles.

10.4.3 Delegated Authority – 2006-2007 Council Recess Period

Ward:	-	Date:	11 December 2006
Precinct:	-	File Ref:	-
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:		Amended by:	-

OFFICER RECOMMENDATION:

That pursuant to Section 5.42 of the Local Government Act 1995, the Council APPROVES BY AN ABSOLUTE MAJORITY, delegated authority to the Chief Executive Officer, in consultation with the Mayor and all available Councillors, to deal with any items of business (other than those requiring an Absolute Majority) that may arise from 20 December 2006 to 22 January 2007, subject to:

- (i) the action taken only being in accordance with the Officer’s recommendation;*
- (ii) reports being issued to all Elected Members for a period of 3 days and a simple majority be accepted;*
- (iii) a report summarising the items of business dealt with under delegated authority being submitted for information to the Council at its meeting to be held in February 2007;*
- (iv) a delegation register of items being kept and made available for public inspection during the period that the delegation applies; and*
- (v) items being displayed in the Town of Vincent Administration Centre, the Library and on the Town’s website for a period of three (3) days prior to approval.*

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Moved Cr Maier, Seconded Cr Chester

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

“(ii) reports being issued to all Elected Members for a period of 3 days and a simple majority of Elected Members who have responded, be accepted;”

Debate ensued.

AMENDMENT CARRIED (5-4)

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

MOTION AS AMENDED CARRIED
BY AN ABSOLUTE MAJORITY (9-0)

COUNCIL DECISION ITEM 10.4.3

That pursuant to Section 5.42 of the Local Government Act 1995, the Council APPROVES BY AN ABSOLUTE MAJORITY, delegated authority to the Chief Executive Officer, in consultation with the Mayor and all available Councillors, to deal with any items of business (other than those requiring an Absolute Majority) that may arise from 20 December 2006 to 22 January 2007, subject to:

- (i) the action taken only being in accordance with the Officer's recommendation;*
 - (ii) reports being issued to all Elected Members for a period of 3 days and a simple majority of Elected Members who have responded, be accepted;*
 - (iii) a report summarising the items of business dealt with under delegated authority being submitted for information to the Council at its meeting to be held in February 2007;*
 - (iv) a delegation register of items being kept and made available for public inspection during the period that the delegation applies; and*
 - (v) items being displayed in the Town of Vincent Administration Centre, the Library and on the Town's website for a period of three (3) days prior to approval.*
-

PURPOSE OF REPORT:

To obtain the Council's approval for Delegated Authority for the Council recess period.

BACKGROUND:

The Council will be in recess from 20 December 2006 to 22 January 2007. Therefore, it will be necessary to make arrangements to enable items of business that may arise during that period to be dealt with. This procedure has operated satisfactorily in previous years.

CONSULTATION/ADVERTISING:

An advertisement has been placed in a local paper advertising the meeting dates for 2006. The dates of Council Meetings are displayed on the Notice board in the foyer and on the Town's website. Items being processed under delegated authority will be advertised for a period of three (3) days.

LEGAL/POLICY:

The Local Government Act 1995 states:

*"Delegation of some powers and duties to CEO
5.42(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act (other than those referred to in section 5.43 and this power of delegation)."*

Matters requiring an Absolute or Special Majority decision of the Council cannot be approved under Delegated Authority.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011 - Objective 4 – "*Leadership, Governance & Management*" – 4.1.1 – Provide good strategic decision-making, governance, leadership and professional management.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Council is in recess from 20 December 2006 until 22 January 2007. A Council resolution is required to approve of matters which may arise under delegated authority (other than those matters which require an Absolute Majority decision).

In keeping with the Council's philosophy of providing a high standard of customer service, it is appropriate to continue processing ratepayer requests and development applications. Where possible, these should be determined as soon as practicable, in order to minimise any delays or inconvenience.

In keeping with the Town's previous practice, reports will be issued to Elected Members for a period of 3 days, on a Thursday evening. The reports will be placed on the Town's webpage on the Friday (usually by midday). Responses from Elected Members are required to be received by the Chief Executive Officer by midday on the Monday (following issue). If no response is received, it will be assumed that the Elected Member does not have any objection to the Officer Recommendation, and the item will be processed.

It is therefore recommended that the Council approve of the arrangements to be made to deal with items of business that may arise during the 2006/2007 recess period.

10.4.4 Delegated Authority – Delegation No 110 – Review and Continuation

Ward:	All	Date:	12 December 2006
Precinct:	-	File Ref:	ADM0018
Attachments:			
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That pursuant to Section 5.42 of Division 4 of Part 5 of the Local Government Act 1995, the Council APPROVES BY AN ABSOLUTE MAJORITY the delegation of the exercise of its powers and duties to the Chief Executive Officer, as follows:

No.	Area	Description of Council Function Delegated to the Chief Executive Officer from Council	Assignee(s)	Conditions
110	Planning, Building and Heritage Services	<p><i>Authority to exercise discretion and to refuse, approve and apply conditions to planning applications for the following developments:-</i></p> <p><i>(i) Category 3 development applications (developments of a marginal complex nature or impact) including:</i></p> <ul style="list-style-type: none"> <i>• Single-storey and two-storey residential development comprising -</i> <ul style="list-style-type: none"> <i>- Alterations and/or additions to dwellings; or</i> <i>- A total maximum of two (2) dwellings (excluding new dwellings in areas coded R 20); and</i> <i>• Single-storey and two-storey non-residential development.</i> 	EMEDS MPBHS	<p><i>(i) The application is processed and assessed in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1, Policies and Local Laws, and the Residential Design Codes, where applicable; and</i></p> <p><i>(ii) Report to the Council on a quarterly basis.</i></p>

		<i>(Note: Development of a minor nature that is specified in the Town of Vincent's Policy - Minor Nature Development, does not require planning approval.)</i>		
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COUNCIL DECISION ITEM 10.4.4

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY (6-3)

For

**Mayor Catania
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Messina
Cr Torre**

Against

**Cr Chester
Cr Lake
Cr Maier**

PURPOSE OF REPORT:

The purpose of this report is to seek Council's approval of Delegation No 110 Register for the 2006-2007 year.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 August 2006, the Council considered the matter of delegations and approved the matter. Delegation No 110 – relating to Category 3 developments was approved until 31 December 2006.

The Local Government Act 1995, at Section 5.42, allows for a Council to delegate to the Chief Executive Officer its powers and functions.

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Local Government. The CEO exercises the delegated authority in accordance with the Council's policies.

Planning and Building Delegations

The Independent Organisational Review dated April 2003, Recommendation 6 stated:

"Council request a report from the Chief Executive Officer recommending delegated authority to the Manager Planning and Building Services to approve specified development applications wherever practicable and legally acceptable to competent staff with accompanying draft guidelines for Council's consideration."

Action Taken:

Since August 2006, the Town's Chief Executive Officer, Executive Manager Environmental and Development Services and Manager Planning, Building and Heritage Services have monitored the processing of development applications and building licences on a weekly basis. This has revealed the following;

Review of Processes, Use of Delegations and Reports to Council

1. The number of development applications awaiting processing and determination has remained consistently high at any one time (usually between 100-140).
2. The number of applications being reported to the Council for determination has been significantly reduced.
3. The number of pre-Council Elected Member enquiries about Development Approvals has been consistently high, which also adds to the workload - in essence, most of Monday and Tuesday preceding the Council meeting is dedicated to dealing with the Elected Member enquiries. The closing time for Elected Member enquiries was changed from 12 noon to 9am on the Monday. Generally, most Elected Members have co-operated with this new time and it has worked reasonably well.

Outstanding Planning Applications Pre-Additional Delegation Nos. 109 and 110 - as at 18 August 2006

The following is the current status relating to outstanding Planning Applications as at 18 August 2006:

1	Suspended - awaiting SA advertising by applicant	3
2	Suspended - awaiting further information	29
3	Suspended - at applicant's request	-
4	Suspended - awaiting DPI determination	-
5	Suspended - awaiting amended/revised plans	8
6	Deferred by Council	1
	Total Suspended Applications	41
7	Assessing	81
8	Advertising	15
9	Waiting to be advertised	1
10	To be issued	-
11	To be allocated	-
	Total Active Applications	97
	TOTAL APPLICATIONS	138

As at 18 August 2006, a total of 138 planning applications had not been determined. Details are as follows:

Category	1	2	3	4	Total	Applications received 14/08/2006 to 18/08/2006
Proportion of Planning Application	11 (7.97%)	16 (11.59%)	88 (63.77%)	23 (16.67%)	138 (100%)	11 (average 11 per week)

Outstanding Planning Applications Post-Additional Delegation Nos. 109 and 110 - as at 1 December 2006

The following is the current status relating to outstanding Planning Applications as at 1 December 2006:

1	Suspended - awaiting SA advertising by applicant	3
2	Suspended - awaiting further information	32
3	Suspended - at applicant's request	-
4	Suspended - awaiting DPI determination	-
5	Suspended - awaiting amended/revised plans	2
6	Deferred by Council	-
	Total Suspended Applications	37
7	Assessing	25
8	Advertising	42
9	Waiting to be advertised	-
10	To be issued	-
11	To be allocated	-
	Total Active Applications	67
	TOTAL APPLICATIONS	104

As at 1 December 2006, a total of 104 planning applications had not been determined. Details are as follows:

Category	1	2	3	4	Total	Applications received 24/11/2006 to 1/12/2006
Proportion of Planning Application	9 (8.65%)	14 (13.46%)	68 (65.39%)	13 (12.50%)	104 (100%)	2

Number of Applications Determined under Additional Delegation Nos. 109 and 110

Category / Determination	Category 3 Planning Applications (Delegation No. 110)	Category 4 Planning Applications (Delegation No. 109)
Approval	38	7
Refusal	4	11
Total (60)	42	18

Note: The above number of planning applications does not include several Planning Applications for residential development that involved side setbacks only as these were approved under Delegation No. 71.

The following statistics clearly demonstrate that the additional Delegation No. 110 (Category 3), and to lesser extent Delegation No. 109 (Category 4), have resulted in a significant reduction in the number of outstanding planning applications.

Processing time of the DA's over the period - show by category

These processing time statistics are not readily available. Indicatively, given the vast number of outstanding planning applications as at 22 August 2006 and the limited period which the additional Delegation Nos. 109 and 110 have been applied, it is likely that the overall processing time has slightly reduced at this stage, however would be significantly reduced by 30 June 2007.

It has taken considerable effort to reduce the number of DA's lodged with the Town over the period. It should be noted that the number of DA's, lodged on a weekly basis, has remained consistent with an average of 11 DA's each week.

Overall effect on efficiencies, over the period

The overall effect resulting from the additional delegations during the 22 August 2006 – 1 December 2006 period, can be summarised as follows:

1. Reduced number of outstanding planning applications - an overall net reduction of 34 applications representing a 25 per cent decrease.
2. A decrease in negative feedback from applicants in the exercise of the additional delegation.
3. Noticeable lift in Officer morale and optimism, which in turn is engendering a more attractive and inviting work environment.
4. More manageable and sustainable processing of planning applications and overall work load.
5. The Council has been able to consider and determine strategic and important matters. Details of reports from the Environmental and Development Services Division and meeting times are as follows:

Council Meeting Date	No of Environmental and Development Services Reports			Meeting Time	
	D/A's	Policy	Others	Hrs	Mins
12 September 2006	10	3	1	4	26
26 September 2006	10	3	2	3	15
10 October 2006	4	4	2	2	57
17 October 2006 (Special)	-	-	-	2	53
24 October 2006	2	-	2	3	45
7 November 2006	4	-	1	4	10
21 November 2006	4	3	1	3	37
5 December 2006	8	1	-	4	-

Note: Whilst the number of DA reports to Council has reduced, the Council meeting time has not, with an average meeting time of 3hrs, 44 mins (the average for 2005/06 was 3hrs 3mins). However, it should be noted that the Council has been able to consider other important and strategic matters eg MHI and Leederville Masterplan.

LEGAL/POLICY:

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the CEO the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a CEO to further delegate to an employee of the Town; and states that the CEO is to keep a register of delegations. The delegations are to be reviewed at least once each financial year by the Council and the person exercising a delegated power is to keep appropriate records.

Quarterly reports detailing the administration's use of delegations are reported to the Council as follows:

Period	Report to Council
1 January – 31 March	April
1 April – 30 June	July
1 July – 30 September	October
1 October – 31 December	February

Processing Time Targets

Over the previous six months, every endeavour has been made to process applications in accordance with the following timeframes.

- *Category 1:* 60 days maximum.
- *Category 2:* 60 days maximum / 28 days maximum, where no archival search was required.
- *Category 3:* 42 days maximum / 28 days where the application was considered not supportable and recommended for refusal.
- *Category 4:* 21 days maximum for not supportable applications, requiring a report to the Council for determination; 28 days for supportable applications, requiring a report to the Council; and 14 days for applications determined under delegated authority.

STRATEGIC IMPLICATIONS:

The use of delegations is in keeping with the Council's Strategic Plan 2006-2011 - "*Key Result Area 4.2 – Deliver services, effective communication and public relations in ways that accord with the expectations of the community, whilst maintaining statutory compliance and introduce processes to ensure continuous improvement in the service delivery and management of the Town*".

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Chief Executive Officer is of the opinion that delegation has resulted in a more efficient and effective service delivery for the processing of development applications.

It is evident that the previous 3.5 months have continued to be very busy. Despite the reduction in number of DA reports being submitted to Council for consideration, the duration of the Council meetings has not reduced. More importantly, it has allowed the Council to consider and determine strategic and important matters. These include; Municipal Heritage Inventory; Loftus Centre Redevelopment and Leederville Masterplan.

It is considered essential for Delegation 110 to continue as this will:

- allow for DA's to be processed in a more efficient and effective manner within a more reasonable time frame;
- reduce the number of DA's awaiting to be processed;

- (c) reduce the frustration (which previously existed) to the applicants, officers and Elected Members;
- (d) improve officer morale;
- (e) reduce employee turnover;
- (f) allow for a more manageable and sustainable procession of DA's in the longer term;
and
- (g) allow more time at Council Meetings for the consideration of strategic and policy matters.

Accordingly, it is recommended that a continuation of Delegation No 110 for 2006/07 be approved.

10.4.8 Loftus Recreation Centre, 99 Loftus Street, Leederville - Management Committee

Ward:	South	Date:	12 December 2006
Precinct:	Oxford Centre, P4	File Ref:	PRO3830
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY;

- (i) *pursuant to Section 5.9(2)(c) of the Local Government Act 1995, to establish a Committee to supervise the Loftus Recreation Centre, 99 Loftus Street, Leederville;*
- (ii) *in accordance with the Deed of Contract between the Town and Belgravia Leisure Pty Ltd, to APPOINT the Chief Executive Officer and Executive Manager Corporate Services, with the Manager Community Development as Deputy to both, to the Committee; and*
- (iii) *to delegate the following functions to the Committee;*
 - (a) *to supervise the performance of the Services by the Contractor and to ensure that the Contractor performs the Services in accordance with the KPIs and the Contract;*
 - (b) *to establish and review the Key Performance Indicators (KPIs) in conjunction with the Contractor;*
 - (c) *to receive and consider Performance Reports;*
 - (d) *to advise the Town on Capital Improvements required for the Recreation Centre and the Premises and to make recommendations to the Town about the use of the Reserve Fund; and*
 - (e) *to review the Risk Management Plan for the Premises.*

COUNCIL DECISION ITEM 10.4.8

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

PURPOSE OF REPORT:

The purpose of the report is to establish a Management Committee for the operational management of the Loftus Recreation Centre, 99 Loftus Street, Leederville.

BACKGROUND:

At the Special Meeting of Council held on 17 October 2006, the Council approved of the Contract and Lease, which included the operational management to Belgravia Leisure Pty Ltd.

The Deed of Contract specifies that the Town and Belgravia Leisure Pty Ltd agree that a Committee will be established *"to supervise the ongoing use of the land, including the Loftus Recreation Centre"*. The Committee will not be involved in the "day-to-day" operations of the Loftus Recreation Centre.

On 1 January 2007, the operational management of the Loftus Recreation Centre will be assumed by Belgravia Leisure Pty Ltd, from LeisureCo Pty Ltd. The Vincent Community Recreation Association (VCRA), which is the current management model, will cease on 31 December 2006. This new Committee will replace the VCRA.

The Committee will meet quarterly and will, in essence, provide a direct conduit for the Town to oversee the management of the Loftus Recreation Centre. The Committee will have reduced powers to that possessed by the VCRA, in that it cannot borrow monies and expend funds.

The functions of the Committee will be;

- (a) to supervise the performance of the Services by the Contractor and to ensure that the Contractor performs the Services in accordance with the KPIs and the Contract;
- (b) to establish and review the Key Performance Indicators (KPIs) in conjunction with the Contractor;
- (c) to receive and consider Performance Reports;
- (d) to advise the Town on Capital Improvements required for the Recreation Centre and the Premises and to make recommendations to the Town about the use of the Reserve Fund; and
- (e) to review the Risk Management Plan.

As this Committee is for administrative matters, it is recommended that it comprise of Town Officers and representatives of the Contractor.

It is recommended that the Town be represented by the Chief Executive Officer and Executive Manager Corporate Services, with the Deputy to be the Manager Community Development and Belgravia has advised that they will be represented by the State Manager and the Centre Manager.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act Section 5.8 gives the Council the power to establish "Committees".

Section 5.9(2)(c) gives the Council the power to establish a "Committee" with "Council Members, Employees and other persons".

Section 5.10 requires a Council to approve by an absolute majority to appoint "persons to the Committee".

Section 5.16 gives the Council the power to delegate any of its powers and duties to the Committee.

Section 5.17(1)(c) states that where a Committee comprises of "members, employees and other persons" that Committee can only be responsible for the "proper management of the local government's property".

Establishment of Committee

The Deed of Contract specifies the following;

- (a) The Town shall establish a committee under section 5.9(2)(c) of the Local Government Act (LGA) to supervise the ongoing use of the Land, including the Loftus Recreation Centre.
- (b) The Committee shall comprise the following persons;
 - Two (2) representatives of the Town.
 - Two (2) representatives of the Contractor.
 - Other persons (if any) deemed appropriate by Council.
- (c) For the purpose of avoidance of doubt, the Parties acknowledge that the Committee's functions do not include carrying out any Operational Management Services which are to be provided by the Contractor.
- (d) It is acknowledged by the Parties that the Town's Chief Executive Officer shall have the casting vote in the instance of a tied vote by the Committee.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011, Objectives 1 and 3 - "*Natural and Built Environment*" and, in particular, 1.1.6(j) - "*Carry out redevelopment of the Loftus Centre...*".

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The establishment of a Committee, as detailed in this report, is a requirement of the Deed of Contract and is necessary to ensure that the Council retains control of this facility and to supervise the performance of its Managing Agent, whilst at the same time not being involved in the day-to-day operations and management.

10.4.9 Loftus Centre, 99 Loftus Street, Leederville - Management Committee

Ward:	South	Date:	12 December 2006
Precinct:	Oxford Centre, P4	File Ref:	PRO3829
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY;

- (i) *pursuant to Section 5.9(2)(c) of the Local Government Act 1995, to establish a Committee to determine the day-to-day operational issues of the Loftus Centre, 99 Loftus Street, Leederville;*
- (ii) *the Committee shall comprise of the following persons;*
 - (a) *the Town's Chief Executive Officer or his representative;*
 - (b) *a representative of Belgravia Leisure Pty Ltd;*
 - (c) *a representative of Gymnastics WA;*
 - (d) *a representative of the Loftus Community Centre; and*
 - (e) *the Town's Manager Library and Information Services;*
- (iii) *in accordance with the Lease between the Town and Belgravia Leisure Pty Ltd, to APPOINT the Chief Executive Officer (with the and Executive Manager Corporate Services as Deputy) to the Committee; and*
- (iv) *to delegate the following functions to the Committee;*
 - (a) *to determine day to day operational issues (including without limitation, use of the Premises, Common Areas cleaning, security issues, and use of the car park) which may arise as a result of the Lessee's use of the Loftus Centre Facilities with a view to ensuring the safe and efficient use of the Centre's Facilities by all users;*
 - (b) *to establish and review risk management plans for the Centre's Facilities;*
 - (c) *to consider and approve, if satisfactory, temporary structures within the Centre's Facilities;*
 - (d) *to make recommendations for the maintenance of Common Areas;*
 - (e) *to make recommendations for any capital improvements to the Centre's Facilities; and*
 - (f) *to do all such other things and to determine all such other issues in respect of the Centre's Facilities as are incidental or conducive to the above objects or any of them.*

COUNCIL DECISION ITEM 10.4.9

Moved Cr Farrell, Seconded Cr Torre

Debate ensued.

That the recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

PURPOSE OF REPORT:

The purpose of the report is to establish a Management Committee for the management of the operational issues which may arise from the use of the Loftus Centre, 99 Loftus Street, Leederville.

BACKGROUND:

The Town has approved of the redevelopment of the Loftus Centre. Gymnastics WA will be a major tenant. As a requirement of the proposed Financial Assistance Agreement between the Town and the State Government, a Management Committee is required to be formed, for the common areas. This will ensure that Lessees will have a mechanism to raise issues which may arise (similar to the Leederville Oval Management Committee). The Committee will be prescribed in the various Leases to be provided.

It is recommended that the Committee will comprise;

- (a) the Town's Chief Executive Officer or his representative;
- (b) a representative of Belgravia Leisure Pty Ltd;
- (c) a representative of Gymnastics WA;
- (d) a representative of the Loftus Community Centre; and
- (e) the Town's Manager Library and Information Services;

Functions of the Committee

The functions and objectives for the Management Committee are:

- (i) to determine day-to-day operational issues (including without limitation, use of the Premises [except Belgravia's responsibility for the Recreation Centre], Common Areas cleaning, security issues, and use of the car park) which may arise as a result of the Lessee's use of the Loftus Centre Facilities with a view to ensuring the safe and efficient use of the Centre's Facilities by all users;
- (ii) to establish and review risk management plans for the Centre's Facilities;
- (iii) to consider and approve, if satisfactory, temporary structures within the Centre's Facilities;
- (iv) to make recommendations (to the Council) for the maintenance of the Common Areas;
- (v) to make recommendations (to the Council) for any capital improvements to the Centre's Facilities;

- (vi) to do all such other things and to determine all such other issues in respect of the Centre's Facilities as are incidental or conducive to the above objects or any of them.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act Section 5.8 gives the Council the power to establish "Committees".

Section 5.9(2)(c) gives the Council the power to establish a "Committee" with "Council Members, Employees and other persons".

Section 5.10 requires a Council to approve by an absolute majority to appoint "persons to the Committee".

Section 5.16 gives the Council the power to delegate any of its powers and duties to the Committee.

Section 5.17(1)(c) states that where a Committee comprises of "members, employees and other persons" that Committee can only be responsible for the "proper management of the local government's property".

Establishment of Committee

The Lease specifies the following:

- (a) The Town shall establish a committee under section 5.9(2)(c) of the Local Government Act (LGA) to supervise the ongoing use of the Land, including the Stadium.
- (b) The Committee shall comprise the following persons;
- The Town's Chief Executive Officer or his representative;
 - A representative of Belgravia Leisure Pty Ltd;
 - A representative of Gymnastics WA;
 - A representative of the Loftus Community Centre; and
 - The Town's Manager Library and Information Services.
- (c) It is acknowledged by the Parties that;
- (i) the Town's Chief Executive Officer shall have the casting vote in the instance of a tied vote by the Committee; and
- (ii) if the Town's Chief Executive Officer does not vote in favour of any matter before the Committee, the matter cannot be approved.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011, Objectives 1 and 3 - "*Natural and Built Environment*" and, in particular, 1.1.6(j) - "*Carry out redevelopment of the Loftus Centre...* ".

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The establishment of a Committee, as detailed in this report, is a requirement of the Financial Assistance Agreement and Leases and is necessary to ensure that the Lessees have a mechanism to raise issues which may arise from the use of the Centre.

After the Centre has been redeveloped, it is envisaged that this Committee will initially meet on a monthly basis and thereafter on a quarterly basis (or as required).

10.4.11 Tender No 354/06 - Construction of the Loftus Centre, 99 Loftus Street, Leederville

Ward:	South	Date:	13 December 2006
Precinct:	Oxford Centre; P4	File Ref:	TEN0367
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

CHIEF EXECUTIVE OFFICER'S COMMENTS:

Three construction tenders were received, being; \$12,327,000, \$12,648,000 and \$13,943,370 (excluding GST). Other costs (professional fees, public artwork, furniture and construction contingency) of approximately \$1,250,000 are also excluded.

However, the report has not been completed in time for the Council Meeting of 19 December 2006.

The matter will be progressed and will be submitted to the Council at a later date (most likely in mid to late January 2007).

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

12.1 LATE REPORT: WALGA Nomination – Local Government Self Insurance Schemes Board

Ward:	-	Date:	18 December 2006
Precinct:	-	File Ref:	ORG0045
Attachments:	001		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That _____ be nominated as WALGA Member - Local Government Self Insurance Schemes Board (Serving Officer of a Scheme Member Council (1))

COUNCIL DECISION ITEM 12.1

Nil nominations were received.

DETAILS:

Nominations are sought from Serving Officers of a Local Government that is a member of the LGIS Liability, WorkCare and Property Self Insurance Schemes. The Board is responsible for the governance and strategic direction of the Schemes. The term of appointment is for three (3) years and commences upon appointment with meetings held monthly in the Local Government House Boardroom. Sitting fees and travel allowance are payable.

Please see Appendix 12.1 for further details.

N.B.:

NOMINATIONS CLOSE COB FRIDAY 19 JANUARY 2007

13. URGENT BUSINESS

Nil.

At 9.45pm **Moved Cr Farrell, Seconded Cr Ker**

That the meeting proceed "behind closed doors" to consider confidential items 14.1, 14.2, 14.3, 14.4 and 14.5 as they contain commercially sensitive information and legal advice obtained, or which may be obtained by the Town.

CARRIED (9-0)

14. CONFIDENTIAL REPORTS (*Behind Closed Doors*)

14.1 CONFIDENTIAL REPORT - Municipal Heritage Inventory Review - Consideration of No. 98 (Lot 6) Angove Street, North Perth

Ward:	South	Date:	12 December 2006
Precinct:	North Perth; P8	File Ref:	PLA0098
Attachments:	-		
Reporting Officer(s):	H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *DEFERS the decision relating to the proposed inclusion of the place at No. 98 (Lot 6) Angove Street, North Perth, on the Town's Municipal Heritage Inventory (as the owner of the property has not been contactable); and*
- (ii) *AUTHORISES the Chief Executive Officer to SEEK further comments from the owner of No. 98 (Lot 6) Angove Street, North Perth and REPORT back to the Council once comments are received.*

COUNCIL DECISION ITEM 14.1

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (9-0)

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

PURPOSE OF REPORT:

The purpose of this report is to consider the proposed inclusion of the above mentioned property in the Municipal Heritage Inventory as a 'Management Category A' place.

BACKGROUND:

The Draft Municipal Heritage Inventory was released for property owner consultation in the week beginning 19 June 2006. Written submissions closed on 31 August 2006 after ten (10) weeks of consultation. 133 submissions were received out of a possible 697 affected owners of which 13 related to places that had been identified in the review of the Town's Municipal Heritage Inventory as a Management Category A.

At the Ordinary Meeting of Council held on 7 November 2006, the Council resolved the following:

- "(i) NOTES the submission(s) received regarding the proposed inclusion of the place at No. 98 (Lot 6) Angove Street, North Perth, on the Town's Municipal Heritage Inventory;*
- (ii) DEFERS the decision relating to the proposed inclusion of the place at No. 98 (Lot 6) Angove Street, North Perth, on the Town's Municipal Heritage Inventory;*
- (iii) AUTHORISES the Chief Executive Officer to SEEK further comments from the owners of No. 98 (Lot 6) Angove Street, North Perth and REQUEST these comments be submitted to the Town by no later than 8 December 2006; and*
- (iv) NOTES that a further report will be submitted to the Ordinary Meeting of Council to be held on 19 December 2006."*

Following the above resolution, the Town's Officers have written to the owner and attempted to contact the owner; however, to date this has been unsuccessful. Additional time is required for the Officers to visit the property and discuss the Heritage Assessment process with the owner.

The property is currently tenanted and the owner is elderly, with English as a second language.

DETAILS:

A summary of the submission(s) received for the subject property is outlined below and was previously presented to the Council at the Ordinary Meeting held on 12 September 2006.

The key concerns outlined in the submission(s) are summarised below:

- Large block (1200 square metres) with house centrally located;
- Owned the property for 30 years with little maintenance;
- Decrease property value even with 50 per cent density bonus because of where the house is situated on the block; and
- The Town should pay if it wants all its residents to benefit from heritage.

CONSULTATION/ADVERTISING:

The Draft MHI has been widely and extensively advertised.

Owners have been consulted in writing at various stages throughout the project. Proposed Category A places have had full heritage assessments undertaken with the cooperation of the owners where possible.

Formal advertising has appeared in local newspapers, workshops for owners have been undertaken, 64 one-on-one meetings have occurred between owners and Officers from the Town, information packs provided and progress reports have been provided to the Council throughout the project. The Chief Executive Officer conducted media briefings at the start of the consultation period and conducted an interview with Channel 10 television.

LEGAL/POLICY:

Under the Heritage of Western Australia Act 1990, there is a legal requirement for the Town to review and update its Municipal Heritage Inventory with appropriate consultation.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

FINANCIAL IMPLICATIONS:

The current 2006/2007 Budget lists \$54,800 for the Municipal Heritage Inventory Review of which \$14,826 remain.

COMMENTS:

In light of above, it is recommended that the Council further defers the decision relating to the proposed inclusion of the place at No. 98 (Lot 6) Angove Street, North Perth on the Town's Municipal Heritage Inventory in accordance with the Officer Recommendation outlined above to allow additional time to meet with the owner and visit the subject property.

**14.2 CONFIDENTIAL REPORT - Municipal Heritage Inventory Review -
Consideration of No.106 (Lot Y54) Palmerston Street, Perth**

Ward:	South	Date:	11 December 2006
Precinct:	Hyde Park, P12	File Ref:	PLA0098
Attachments:	-		
Reporting Officer(s):	S Kendall, H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *NOTES the submission(s) received regarding the proposed inclusion of the place at No. 106 (Lot Y54) Palmerston Street, Perth on the Town's Municipal Heritage Inventory; and*
- (ii) *EXCLUDES the place at No. 106 (Lot Y54) Palmerston Street, Perth from the Town's Municipal Heritage Inventory.*

COUNCIL DECISION ITEM 14.2

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-1)

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

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

PURPOSE OF REPORT:

The purpose of this report is to consider the proposed inclusion of the above mentioned property in the Municipal Heritage Inventory as a 'Management Category A' place.

BACKGROUND:

The Draft Municipal Heritage Inventory was released for property owner consultation in the week beginning 19 June 2006. Written submissions closed on 31 August 2006 after ten (10) weeks of consultation. 133 submissions were received out of a possible 697 affected owners of which 13 related to places that had been identified in the review of the Town's Municipal Heritage Inventory as a Management Category A.

At the Ordinary Meeting of Council held on 12 September 2006, it was resolved that the Council:

"(iii) NOTES that;

- (a) the submissions received during the consultation period objecting to Category A places will be assessed by the Town's administration and will be reported to the Council within 1-2 months; and*
- (b) a further report will be presented to the Council advising of an appropriate methodology for assessing the submissions relating to Category B places."*

Further to this resolution, a submission regarding the subject property at No. 106 Palmerston Street, Perth, requesting extension in order to seek further expert advice was considered by the Council at its Ordinary Meeting held on 7 November 2006. The Council resolved the following:

- "(i) NOTES the submission(s) received regarding the proposed inclusion of the place at No.106 (Lot Y54) Palmerston Street, Perth, on the Town's Municipal Heritage Inventory;*
- (ii) DEFERS the decision relating to and the proposed inclusion of the place at No.106 (Lot Y54) Palmerston Street, Perth, on the Municipal Heritage Inventory;*
- (iii) AUTHORISES the Chief Executive Officer to SEEK further comments from the owners of No. 106 (Lot Y54) Palmerston Street, Perth and REQUEST these comments be submitted to the Town by no later than 8 December 2006; and*
- (iv) NOTES that a further report will be submitted to the Ordinary Meeting of Council to be held on 19 December 2006."*

DETAILS:

With regard to the recommendation from the Ordinary Meeting of Council held on 7 November 2006, the owners representatives submitted further comment and included an analysis of the place's cultural heritage value, which was prepared by architect Ronald Bodycoat, on 27 November 2006. A copy of these documents is provided in an attachment to this report.

The key concerns outlined in the submission(s) is summarised below:

- The place has previously been considered by the Council for inclusion onto the Town's Municipal Heritage Inventory (MHI) at the Ordinary Meeting of Council held on 12 April 1999. At this meeting, the Council resolved that the place should not be included on the MHI.
- The Place Record Form has been compiled to a superficial standard and is inadequate for determining the cultural heritage significance of the place.
- The place has undergone numerous alterations to its internal and external fabric, which has reduced its authenticity.
- The place does not meet the criteria as outlined in the Town's Heritage Management Assessment Policy No.3.6.2.
- The MHI Review is causing undue stress on the elderly owner of the place.

Officer Comment

Heritage consultants Hocking Planning and Architecture identified the place as a Category A management recommendation for its long association with surveyor and land developer J.S Brooking, and as it is one of the oldest dwellings extant in the district.

In addition, the place was previously proposed for inclusion in the 1995 draft Municipal Heritage Inventory. The Council, at its Ordinary Meeting held on 12 April 1999, resolved that the place *"did not cross the threshold for entry on the Town of Vincent Municipal Heritage Inventory"*. The Minutes relating to this resolution state that a Heritage Assessment was undertaken; however, the Town has been unable to locate this documentation. In light of the previous resolution of Council and as the owner has provided heritage comments and images from a heritage consultant, who is listed on the Heritage Council of Western Australia's Directory of Heritage Consultants, a further heritage assessment of the place has not been completed.

An extract from the relevant Minutes of the Ordinary Meeting of Council held on 12 April 1999 states that whilst the building *'sits in a large landscaped garden with mature tree planting.... transformation of the former 19th Century architectural character into a mid 20th Century character has robbed the place of its original integrity'*. The comments and images of the subject place provided by the owner's heritage consultant further substantiate that the place has been subject to substantial alterations and additions over the years, which have significantly reduced its authenticity.

Whilst the place has some historic value through its association with surveyor J.S Brooking, it is not considered that the place has sufficient historic value to warrant allocation of a *'Category A'* management recommendation. As per the previous decision of the Ordinary Meeting of Council held on 12 April 1999, it is considered that the place does not meet the threshold for entry onto the Town's Municipal Heritage Inventory.

CONSULTATION/ADVERTISING:

The Draft MHI has been widely and extensively advertised.

Owners have been consulted in writing at various stages throughout the project. Proposed Category A places have had full heritage assessments undertaken with the cooperation of the owners where possible.

Formal advertising has appeared in local newspapers, workshops for owners have been undertaken, 64 one-on-one meetings have occurred between owners and Officers from the Town, information packs provided and progress reports have been provided to the Council throughout the project. The Chief Executive Officer conducted media briefings at the start of the consultation period and conducted an interview with Channel 10 television.

LEGAL/POLICY:

Under the Heritage of Western Australia Act 1990, there is a legal requirement for the Town to review and update its Municipal Heritage Inventory.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

FINANCIAL IMPLICATIONS:

The current 2006/2007 Budget lists \$54,800 for the Municipal Heritage Inventory Review of which \$14,826 remain.

COMMENTS:

In light of above, it is recommended that the Council notes the submission received and does not include No. 106 (Lot Y54) Palmerston Street, Perth on the Town's Municipal Heritage Inventory.

14.3 CONFIDENTIAL REPORT - Municipal Heritage Inventory Review - Consideration of Nos. 28-30 (Lot 13), No.32 (Lot 13), No.40 (Lot 12), No. 54 (Lot 41) & Nos. 68-70 (Lot 41) Cowle Street, West Perth

Ward:	South	Date:	12 December 2006
Precinct:	Hyde Park, P12	File Ref:	PLA0098 ; PRO1640
Attachments:	-		
Reporting Officer(s):	H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *NOTES the comments received by the owner regarding the proposed inclusion of the places at Nos. 28-30 (Lot 13), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Town's Municipal Heritage Inventory;*
- (ii) *EXCLUDES the places at No. 54 (Lot 41), No. 32 (Lot 13) and No. 40 (Lot 12) Cowle Street, West Perth on the Municipal Heritage Inventory as the places do not meet the required threshold;*
- (iii) *DEFERS the decision relating to the proposed inclusion of the places at Nos. 28-30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Town's Municipal Heritage Inventory;*
- (iv) *AUTHORISES the Chief Executive Officer to develop Design Guidelines and /or 'Outline Development Plan' (or similar) for the land comprising Lots 10, 12, 13, 15 and 41, which considers the following:*
 - (a) *conservation of the dwellings at Nos. 28-30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth;*
 - (b) *an appropriate density bonus for the subject property; and*
 - (c) *appropriate consideration for the enhancement of Cowle Street; and*
- ~~(iv)~~ (v) *REQUESTS a further report to Council no later than March 2007 relating to the proposed inclusion of the places at Nos. 28-30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Municipal Heritage Inventory, and the Design Guidelines and/or 'Outline Development Plan' (or similar).*

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

Moved Cr Farrell, **Seconded** Cr Chester

That the recommendation be adopted.

Debate ensued.

Cr Chester tabled information and spoke on the matter.

The Presiding Member advised Cr Chester that he had been speaking for five minutes.

Moved Cr Maier, Seconded Cr Torre

That Cr Chester be permitted to continue speaking for a further five (5) minutes.

CARRIED (8-1)

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

Cr Torre departed the Chamber at 9.56pm.

Debate ensued.

Cr Farrell departed the Chamber at 9.57pm.
Cr Farrell returned to the Chamber at 9.58pm.

Debate ensued.

Cr Torre returned to the Chamber at 9.59pm.

The Presiding Member advised the Council that as it was 10.00pm an extension of time would need to be approved to continue the meeting.

At 10.00pm **Moved Cr Messina, Seconded Cr Chester**

That the meeting time be extended for a further 15 minutes.

CARRIED (9-0)

Debate ensued.

Moved Cr Maier, Seconded Cr Lake

That the existing clause (iv) be deleted a new clause (iv) be added as follows:

"(iv) APPROVES BY AN ABSOLUTE MAJORITY to AUTHORISE the Chief Executive Officer to appoint consultants to develop a Masterplan that includes, but is not limited to, consideration of the following:

- (a) includes the whole parcel of land extending from No. 28 (Lot 13) to No. 70 (Lot 41) Cowle Street, Perth;*
- (b) investigation of the provision of vehicular access to the northern boundary of the lots via a 'roadway' which may extend over part of Dorrien Gardens;*
- (c) includes the consideration of density bonus for the whole parcel of land, not just lots containing Nos. 28-30 and Nos. 68-70 Cowle Street;*
- (d) seeks to retain and conserve the buildings at Nos. 28-30, 68-70 as well as Nos. 32, 40 and 54 Cowle Street in return for the density bonus;*

- (e) *identifies the level of density bonus required to offset the retention of the above buildings; and*
- (f) *identifies any amendments required to the Town's Town Planning Scheme in order to implement the Masterplan."*

Debate ensued.

AMENDMENT LOST (2-7)

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

Moved Cr Chester, Seconded Cr Maier

That:

1. *No. 54 (Lot 41) be deleted from clause (ii);*
2. *No. 54 (Lot 41) be included in clause (iii);*
3. *add a new clause (iv) as follows and renumber existing clause (iv) and (v):*

“(iv) RESOLVES:

- (a) *that No. 54 (Lot 41) Cowle Street, West Perth retains sufficient significance in accordance with Policy 3.6.2 to maintain its inclusion on the Municipal Heritage Inventory;*
- (b) *to support Council's previous decision of 12 April 1999 and the reasons given in that decision in preference to the report submitted to Council's December 19, 2006 meeting; and*
- (c) *that a significant bonus be contingent on the basis of the retention of No. 54 (Lot 41) Cowle Street, West Perth.”; and*

4. *No. 54 (Lot 41) be included in new clause (vi).*

Debate ensued.

AMENDMENT CARRIED (6-3)

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

MOTION AS AMENDED CARRIED (7-2)

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

COUNCIL DECISION ITEM 14.3

That the Council;

- (i) *NOTES the comments received by the owner regarding the proposed inclusion of the places at Nos. 28-30 (Lot 13), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Town's Municipal Heritage Inventory;*
- (ii) *EXCLUDES the places at No. 32 (Lot 13) and No. 40 (Lot 12) Cowle Street, West Perth on the Municipal Heritage Inventory as the places do not meet the required threshold;*
- (iii) *DEFERS the decision relating to the proposed inclusion of the places at Nos. 28-30 (Lot 13), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Town's Municipal Heritage Inventory;*
- (iv) *RESOLVES:*
 - (a) *that No. 54 (Lot 41) Cowle Street, West Perth retains sufficient significance in accordance with Policy 3.6.2 to maintain its inclusion on the Municipal Heritage Inventory;*
 - (b) *to support Council's previous decision of 12 April 1999 and the reasons given in that decision in preference to the report submitted to Council's December 19, 2006 meeting; and*
 - (c) *that a significant bonus be contingent on the basis of the retention of No. 54 (Lot 41) Cowle Street, West Perth;*
- (v) *AUTHORISES the Chief Executive Officer to develop Design Guidelines and /or 'Outline Development Plan' (or similar) for the land comprising Lots 10, 12, 13, 15 and 41, which considers the following:*
 - (a) *conservation of the dwellings at Nos. 28-30 (Lot 13), No. 54 (Lot 41), and Nos. 68-70 (Lot 41) Cowle Street, West Perth;*
 - (b) *an appropriate density bonus for the subject property; and*
 - (c) *appropriate consideration for the enhancement of Cowle Street; and*
- (vi) *REQUESTS a further report to Council no later than March 2007 relating to the proposed inclusion of the places at Nos. 28-30 (Lot 13), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Municipal Heritage Inventory, and the Design Guidelines and/or 'Outline Development Plan' (or similar).*

ADDITIONAL INFORMATION:

Corrected Recommendation

Clause (iv) has been amended to include all lots along Cowle Street in the ownership of Mr Roworth and which should be included in any Design Guidelines and /or 'Outline Development Plan' (or similar).

Proposed Amendment

The Town's Officers do not support the outsourcing of the proposed Masterplan (or similar) at this stage. The opportunities and constraints arising from addressing amenity, whilst facilitating a density bonus consideration, has raised scenarios which require further consideration by the Officers. Significant discussion and research has already been undertaken by the Officers to support this current opinion. Retention of all the subject buildings would compromise the ability to effectively permit a best-practice outcome in terms of sustainable and desirable residential living.

Chief Executive Officer's Comments

Notwithstanding the above, there are no funds approved on the 2006-2007 Budget for a Masterplan. As such, an Absolute Majority decision of the Council is required.

No costs have been obtained; however, an indicative cost would be 15,000 to \$25,000.

The Chief Executive Office is of the opinion that the land owner should pay for the Masterplan consultancy (or contribute towards the costs), as they will receive considerable financial benefits from the proposal, when fully developed. Furthermore, if the consultancy is approved (as is), it will create a precedent for other land owners.

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

PURPOSE OF REPORT:

The purpose of this report is to consider the proposed inclusion of the above mentioned properties in the Municipal Heritage Inventory as 'Management Category A' and associated town planning considerations for the future development of Cowle Street.

BACKGROUND:

The Draft Municipal Heritage Inventory was released for property owner consultation in the week beginning 19 June 2006. Written submissions closed on 31 August 2006 after ten (10) weeks of consultation. 133 submissions were received out of a possible 697 affected owners of which 13 related to places that had been identified in the review of the Town's Municipal Heritage Inventory as a Management Category A.

At the Ordinary Meeting of Council held on 7 November 2006, the Council resolved as follows:

"That the Council;

- (i) NOTES the submission(s) received regarding the proposed inclusion of the places at Nos. 28-30 (Lot 13), No. 32 (Lot 13), No. 40 (Lot 12), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Town's Municipal Heritage Inventory;*
- (ii) DEFERS the decision relating to the proposed inclusion of the places at Nos. 28-30 (Lot 13), No. 32 (Lot 13), No. 40 (Lot 12), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Town's Municipal Heritage Inventory;*

- (iii) *AUTHORISES the Chief Executive Officer to SEEK further comments from the owner of Nos. 28-30 (Lot 13), No. 32 (Lot 13), No. 40 (Lot 12), No. 54 (Lot 41) and Nos. 68-70 (Lot 41) Cowle Street, West Perth, and REQUEST these comments be submitted to the Town by no later than 8 December 2006;*
- (iv) *NOTES that a further report will be submitted to the Ordinary Meeting of Council to be held on 19 December 2006; and*
- (v) *REQUESTS the Chief Executive Officer to advise the land owner that No. 54 (Lot 41) Cowle Street should be retained (in view of its rarity and historical significance) together with No. 28-30 (Lot 13) and No. 68-70 (Lot 41) Cowle Street, and that development bonuses will be available should this occur."*

The acquisition of these properties dates back to when the land formed part of the City of Perth and followed a staged process with the first property at No. 40 Cowle Street being purchased by Mr A R Roworth in 1927 in which the family lived and operated a nursery. In the 1940's negotiations commenced between the City of Perth and Mr A R Roworth for an exchange of land to extend Dorrien Gardens. This was a prolonged process, in which the transfer of land was finalised in the early 1970's.

In 1995, the above mentioned properties (excluding No. 32) were proposed for entry onto the Town's Municipal Heritage Inventory (MHI). In 1999, No. 54 (Lot 41) was entered on the Town's Municipal Heritage Inventory as part of a group of five properties in the Town believed to have been constructed prior to 1885. In 2000, No. 48 (Lot 10) Cowle Street was purchased by Mr A R Roworth achieving a continual single frontage along the northern side of Cowle Street.

DETAILS:

Recent discussions between the owner's representative and the Town's Executive Manager Environmental and Development Services and Officers have identified a mutually agreeable way forward which has regard for the following:

- the owner's substantial land holding;
- the owner's comments as requested by the Council;
- planning concerns relating to the future amenity of the area; and
- the identification of two dwellings at Nos. 28 - 30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth as meeting the threshold for inclusion on the MHI.

A copy of the owner's letter dated 30 November 2006 is shown as a Confidential Attachment to this report. A verbatim extract of the letter is as follows:

"We would like to propose that we work with the Town to develop Design Guidelines for the Roworth Estate that would incorporate the retention of those two properties cited by your staff for inclusion on the MHI namely Lot 13 and Lot 41 Cowle Street. Under such guidelines the development bonuses available to the owner would be clearly established. By maximising the number of available dwellings on the site the financial impact of restrictions on development (retention of dwellings) would hopefully be negated. In addition a higher density development in close proximity to the CBD would meet the broader planning needs of the Town and the State. This site with its long street frontage and outlook over Dorrien Gardens lends itself well to a higher density development.

I therefore request that Council further defer this matter so that I, on behalf of the owner, can work with TOV Administration to arrive at mutually agreed Design Guidelines that can be submitted to Council for endorsement.

On the matter of No.54 (Lot 41) Cowle Street, I note Council is seeking to also include this property on the MHI despite Administration's recommendation not to include it. It seem incongruous to me that the Town employs experts and consultants to assess the heritage value of properties and without warning or consultation and behind closed doors Council seeks to override the advice of its experts.

I vigorously object to the inclusion of No.54 and in the spirit of cooperation to arrive at a mutually satisfactory outcome I am prepared to drop our opposition to the inclusion on the MHI of the "book end" properties, Lot 13 and Lot 41, under the proposes Design Guideline course of action. The retention of this property as an isolated node along the streetscape would cause unnecessary restriction on the development potential given that the "book end" properties are being retained."

Officer Comment

Heritage

Heritage Assessments were undertaken for each of the properties along the northern section of Cowle Street that are owned by Mr A Roworth. It was found that two (2) pairs of semi-detached dwellings met the threshold for inclusion, being those located at Nos. 28 - 30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth.

A Heritage Assessment for No.54 (Lot 41) Cowle Street, West Perth has been completed and it has been found not to meet the threshold for inclusion on the Municipal Heritage Inventory. As such, it is recommended that this place is not included on the Municipal Heritage Inventory.

Strategic Planning

The strategic opportunity to consider future redevelopment of a substantial and significant portion of land along Cowle Street has arisen as a result of the discussions surrounding possible inclusion of the subject properties on the Municipal Heritage Inventory. The expansive land area along this section of Cowle Street is considered to warrant Design Guidelines and/or an 'Outline Development Plan' (ODP). Preliminary consideration of this possibility by the Strategic Planning Officers indicate that draft documentation could be completed in approximately three (3) months.

Negotiated Outcome

Strategic location (including transport, topography and vehicle access), total land area, zoning and the potential for density bonus demands that this matter be managed and planned for in a co-ordinated and co-operative manner in partnership between the Town and the owner. The Officer Recommendation reflects this intent.

In discussing the matter with the owner's representative, it is considered appropriate that the matter of including the properties at Nos. 28 - 30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Municipal Heritage Inventory be deferred to allow Officers to discuss the matter further with the owner and to draft Design Guidelines and/or Outline Development Plan for the site.

CONSULTATION/ADVERTISING:

The Draft MHI has been widely and extensively advertised.

Owners have been consulted in writing at various stages throughout the project. Proposed Category A places have had full heritage assessments undertaken with the cooperation of the owners where possible.

Formal advertising has appeared in local newspapers, workshops for owners have been undertaken, 64 one-on-one meetings have occurred between owners and Officers from the Town, information packs provided and progress reports have been provided to the Council throughout the project. The Chief Executive Officer conducted media briefings at the start of the consultation period and conducted an interview with Channel 10 television.

LEGAL/POLICY:

Under the Heritage of Western Australia Act 1990, there is a legal requirement for the Town to review and update its Municipal Heritage Inventory.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

FINANCIAL IMPLICATIONS:

The current 2006/2007 Budget lists \$54,800 for the Municipal Heritage Inventory Review of which \$14,826 remain.

COMMENTS:

The current opportunities to develop a strategic approach to the future redevelopment of the subject land and properties should be considered with both the immediate issues facing those properties which have been identified as having heritage significance, as well as the desired future objectives for the street as a whole.

In order to enable the strategic co-ordination for the future redevelopment of the subject land, it is considered appropriate to defer the decision regarding the recommended inclusion of Nos. 28 - 30 (Lot 13) and Nos. 68-70 (Lot 41) Cowle Street, West Perth on the Municipal Heritage Inventory to allow discussions with the owner and development of draft Design Guidelines and/or Outline Development Plan.

14.4 Disposal of Property - Part Lot 10 Corner Brewer and Pier Streets, Perth

Ward:	-	Date:	14 December 2006
Precinct:	-	File Ref:	PRO0475
Attachments:	-		
Reporting Officer(s):	M Rootsey, John Giorgi		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *ACCEPTS the offer of \$130,000 from Schnapper Developments Pty Ltd (the "Purchaser") to the Town of Vincent ("Town") for the purchase Part Lot 10 Brewer Street, corner Pier Street, Perth ("the land"), subject to the following conditions:*
- (a) *it being acknowledged that the Purchaser proposes to submit a revised development application to construct forty-one (41) units at Nos. 59-61 (Lots 20, 19, 18, 17, 16 and Pt 10) Brewer Street, Perth;*
 - (b) *the sale of the Town's land is considered essential for the subject development to be approved and constructed;*
 - (c) *the Council's approval of the development will have regard to its Town Planning Scheme, the Residential Design Codes of Western Australia and relevant policies of the Town and the Town's sale of its land to the Purchaser does not place any obligation on the Council to approve of the development application or grant any density or plot ratio bonuses or any other benefits;*
 - (d) *both the Purchaser and the Town will use their best endeavours (acting reasonably and the Town complying with its legislative obligations) to enable the project to be progressed;*
 - (e) *compliance with the requirements of Section 3.58 of the Local Government Act 1995;*
 - (f) *this Contract is conditional upon the Council approving a development application for the forty-one (41) units at Nos 59-61 (Lots 20, 19, 18, 17, 16 and Part Lot 10) Brewer Street Perth;*
 - (g) *in the event that the Council grants approval for the development application, subject to conditions which are materially unacceptable to the applicant, this Contract is void providing the Applicant advises the Town in writing of such conditions within fourteen (14) days of receiving the Town's planning approval; and*
 - (h) *the Purchaser will effect settlement within thirty (30) days of the later of compliance with the requirements of Section 3.58 of the Local Government Act 1995 or receipt of the Town's planning approval if granted under condition (f) above;*
 - (i) *entry into of a written contract to be executed by the Purchaser and the Town within fourteen (14) days of the Council considering any submissions received pursuant to Section 3.58 of the Local Government Act 1995;*

- (j) *the Joint Form of General Conditions for the Sale of Land 2002 Revision are to be incorporated into the contract so far as they are not varied by or inconsistent with the express terms of the contract and the above conditions;*
- (ii) *AUTHORISES the Chief Executive Officer to advertise the proposed disposal of Lot PT10 Brewer Street, Perth in accordance with Section 3.58(3) of the Local Government Act seeking submissions from the public;*
- (iii) *NOTES that a further report will be submitted to the Council to consider any submissions received; and*
- (iv) *ADVISES the applicant of the outcome of the consideration of the offer.*

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Moved Cr Farrell, Seconded Cr Chester

That clause (i)(f) be deleted and the remaining subclauses renumbered accordingly.

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 14.4

That the Council;

- (i) *ACCEPTS the offer of \$130,000 from Schnapper Developments Pty Ltd (the "Purchaser") to the Town of Vincent ("Town") for the purchase Part Lot 10 Brewer Street, corner Pier Street, Perth ("the land"), subject to the following conditions:*
 - (a) *it being acknowledged that the Purchaser proposes to submit a revised development application to construct forty-one (41) units at Nos. 59-61 (Lots 20, 19, 18, 17, 16 and Pt 10) Brewer Street, Perth;*
 - (b) *the sale of the Town's land is considered essential for the subject development to be approved and constructed;*
 - (c) *the Council's approval of the development will have regard to its Town Planning Scheme, the Residential Design Codes of Western Australia and relevant policies of the Town and the Town's sale of its land to the Purchaser does not place any obligation on the Council to approve of the development application or grant any density or plot ratio bonuses or any other benefits;*
 - (d) *both the Purchaser and the Town will use their best endeavours (acting reasonably and the Town complying with its legislative obligations) to enable the project to be progressed;*
 - (e) *compliance with the requirements of Section 3.58 of the Local Government Act 1995;*

- (f) *in the event that the Council grants approval for the development application, subject to conditions which are materially unacceptable to the applicant, this Contract is void providing the Applicant advises the Town in writing of such conditions within fourteen (14) days of receiving the Town's planning approval; and*
- (g) *the Purchaser will effect settlement within thirty (30) days of the later of compliance with the requirements of Section 3.58 of the Local Government Act 1995 or receipt of the Town's planning approval if granted under condition (f) above;*
- (h) *entry into of a written contract to be executed by the Purchaser and the Town within fourteen (14) days of the Council considering any submissions received pursuant to Section 3.58 of the Local Government Act 1995; and*
- (i) *the Joint Form of General Conditions for the Sale of Land 2002 Revision are to be incorporated into the contract so far as they are not varied by or inconsistent with the express terms of the contract and the above conditions;*
- (ii) *AUTHORISES the Chief Executive Officer to advertise the proposed disposal of Lot PT10 Brewer Street, Perth in accordance with Section 3.58(3) of the Local Government Act seeking submissions from the public;*
- (iii) *NOTES that a further report will be submitted to the Council to consider any submissions received; and*
- (iv) *ADVISES the applicant of the outcome of the consideration of the offer.*

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

PURPOSE OF REPORT:

To present an offer from Schnapper Developments Pty Ltd for the disposal of Part Lot 10 Corner Brewer and Pier Streets, Perth.

BACKGROUND:

At the Ordinary Council meeting of 5 December the following resolution was adopted:

“That the Council;

- (i) *REJECTS the offer of \$105,000 for the disposal of property Part Lot 10 Corner Brewer and Pier Streets, Perth from Schnapper Developments Pty Ltd; and*
- (ii) *ADVISES the applicant of the outcome of the consideration of the offer.”*

The matter was previously discussed by Council at its Ordinary Meeting held on 24 October 2006. The following resolution was adopted.

“That the Council;

- (i) *APPROVES the disposal of property Part lot 10, Corner Brewer and Pier Streets Perth, as shown in Appendix 14.5 by private sale to Schnapper Developments Pty Ltd for the highest price to be negotiated for an amount not less than \$130,000, in accordance with Section 3.58 of the Local Government Act 1995, subject to;*
 - (a) *the sale price being not less than \$130,000;*

- (b) *prior to the issue of a Building Licence, the subject land at Nos. 59 - 61 (Lots 20, 19, 18, 17 16 and Pt 10) Brewer Street, Perth shall be amalgamated into one lot on Certificate of Title, all costs associated with this condition shall be borne by Schnapper Developments Pty Ltd;*

to the satisfaction of the Chief Executive Officer; and

(ii) *AUTHORISES the Chief Executive Officer to;*

- (a) *negotiate the sale terms, conditions and price to be negotiated for an amount not less than \$130,000 (with the aim to achieve the highest possible price) with the prospective purchaser;*
- (b) *accept a sale price of not less than \$130,000 (with the aim to achieve the highest possible price), in liaison with the Mayor;*
- (c) *advertise on a local basis for not less than two (2) weeks, seeking submissions from the public on the proposal to dispose the land; and*
- (d) *advise the purchaser/developer/applicant that in the event that the land sale is successful, the Town will require the following conditions to be applicable on the proposed development to be constructed at Nos. 59 - 61 (Lots 20, 19, 18, 17 16 and Pt 10) Brewer Street, Perth:*
- (1) *environmentally sustainable building design/initiatives are to be incorporated into the proposed building/project;*
 - (2) *should density or plot ratio bonuses are requested by the purchaser/developer/applicant, the proposed development is to incorporate an Affordable Housing component under the Terms and Conditions of sale to be determined by the Town; and*

(iii) *NOTES that a further report will be submitted to the Council at the end of the advertising period to consider any submissions received."*

Below is a verbatim report of the details of the report of 24 October 2006.

Subsequent to the Council meeting of 24 October 2006, the Executive Manager Corporate Services met with a representative of Schnapper Developments Pty Ltd to advise of the outcome of the Council's decision to not accept a sale price less than \$130,000 for the subject property.

On Friday 24 November 2006, an email was received from Schnapper Developments with an increased offer of \$85,000 from the \$50,000 advised in their letter dated 24 October 2006.

The offer of \$85,000 was considered too low to present to Council.

The representative of Schnapper Developments phoned the Executive Manager Corporate Services on 28 November to ascertain the status of the offer.

Following discussions with the Chief Executive Officer, it was agreed that the Town would be prepared to put an offer of \$105,000 or above to the Council for consideration. This was confirmed to Schnapper Developments by email on 29 November and formalised in a letter dated 1 December 2006.

An email was received from Schnapper Developments on 5 December 2006 with an offer of \$105,000 subject to the previous condition that an unconditional development approval for 41 apartments over the adjoining sites is approved.

The applicant has submitted an application which includes the adjoining Town lot into his plan (no approval has been granted by the Town for this). It is understood that Technical Services have already identified some concerns with the plans, and the Planning section will not assess the application until this property matter is resolved.

DETAILS:

Following the Ordinary Council meeting of 5 December 2006, the Chief Executive Officer and the Executive Management Team met with representatives of Schnapper Development Pty Ltd and their architect on Monday 11 December to discuss the sale price of the land and the development proposal.

As a result of the meeting Schnapper Developments proposed to submit an offer of \$130,000 for the above property.

A formal offer for the amount of \$130,000 was received by the Town on 12 December 2006.

The settlement terms of the sale will be the amount agreed and to be paid to the Town 30 days after the approval for the development of 41 apartments on the adjoining site.

CONSULTATION/ADVERTISING:

Public notice of the proposed disposal must be given and inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than two weeks after the notice is first given.

LEGAL/POLICY:

The Local Government Act 1995 Section 3.58(3) deals with disposal of property other than by auction or public tender. The disposal of the land is required to be advertised for not less than fourteen (14) days, inviting comments from the public. The Council is required to consider any submissions that have been received.

FINANCIAL/BUDGET IMPLICATIONS:

The Local Government Act 1995 Section 3.58(3) deals with disposal of property other than by auction or public tender.

COMMENTS:

The offer presented to Council is the amount that was adopted by Council at the meeting of 24 October 2006.

The Town's CEO and EMCS have prepared conditions which are part of the offer. These have been vetted by the Town's solicitor.

As the proposal involves the Town who, in this instance, is also the decision-maker for the development application, it is important that the conditions protect both the Town and the purchaser.

14.5 LATE ITEM - CONFIDENTIAL REPORT - No.103 (Lot 10 D/P: 56012) Harold Street, corner Stirling Street, Highgate - Proposed Change of Use from Motel to Motel and Office and Associated Alterations and Relocation of Swimming Pool - State Administrative Tribunal -Review Matter No. DR 378 of 2006-Directions Hearing

Ward:	South	Date:	18 December 2006
Precinct:	Forrest, P14	File Ref:	PRO0308; 5.2006.268.1
Attachments:	-		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council SUPPORTS as part of the State Administrative Tribunal Review Matter No. DR 378 of 2006, the Proposed Change of Use from Motel to Motel and Office and Associated Alterations and Relocation of Swimming Pool, at No.103 (Lot 10 D/P: 56012) Harold Street, corner Stirling Street, Highgate, and as shown on plans stamp-dated 2 June 2006, subject to the following conditions:

- (i) *any new street/front wall, fence and gate between the Harold Street boundary and the Stirling Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
 - (f) *the solid portion adjacent to the Stirling Street boundary from the above truncation(s) can increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;*

- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *the relocation of the swimming pool is subject to a separate Swimming Pool/ Building Licence application to be submitted to and approved by the Town;*
- (iv) *a detailed landscaping plan, including a schedule of plant species, the retention of the existing lemon tree adjacent to the eastern boundary, the landscaping and reticulation of the Harold and Stirling Streets verges adjacent to the subject property shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (v) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (vi) *prior to the issue of a Building/Swimming Pool Licence, a Management Plan shall be submitted and approved addressing the rules and regulations including signage relating to appropriate behaviour and use of the swimming pool area and the restriction of the usage of the swimming pool area between 7am and 9pm, inclusive. All such works and rules and regulations relating to the use of the swimming pool area shall be detailed in the Strata Management Plan for the development, and undertaken and maintained thereafter by the owner(s)/occupier (s) in accordance with the approved Management Plan; and*
- (vii) *the gross floor area of the office use shall be limited to 287 square metres, as per the Planning Approval granted by the Council at its Ordinary Meeting held on 11 August 1997.*

COUNCIL DECISION ITEM 14.5

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 10.26pm.

Cr Messina returned to the Chamber at 10.27pm.

LOST (2-7)

For

Mayor Catania

Cr Torre

Against

Cr Chester

Cr Doran-Wu

Cr Farell

Cr Ker

Cr Lake

Cr Maier

Cr Messina

Reasons:

1. The development is not consistent with the orderly and proper planning of the area.
2. The application is not consistent with the Brigatti Locality.
3. The proposed development is considered to be an intrusion of commercial components into the residential area.
4. The extent of the commercial component is considered excessive.
5. Insufficient documentary evidence that the condition of the existing building is acceptable for the office use in terms of the building and health requirements.
6. Insufficient documentary evidence that the office use and space approved in 1997 actually commenced and operated on-site in accordance with that approval.

At 10.30pm **Moved Cr Torre, Seconded Cr Farrell**

That an "open" meeting be resumed.

CARRIED (9-0)

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

PURPOSE OF REPORT:

- To update the Council of the above review matter.
- To comply with the requirements of the Town's Policy/Procedure for State Administrative Tribunal.
- For the Council to re-consider the proposed relocation of the swimming pool as part of the application for Review Matter No. DR 378 of 2006 to the State Administrative Tribunal (SAT).

Landowner:	Lomond Properties Pty Ltd
Applicant:	Doepel Marsh Architects Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Motel
Use Class:	Motel, Office Building
Use Classification:	"SA","SA"
Lot Area:	2478 square metres
Access to Right of Way	N/A

BACKGROUND:

- 12 September 2006 The Council at its Ordinary Meeting resolved to refuse an application for proposed change of use from motel to motel and office and associated alterations and relocation of swimming pool at the subject property.
- 6 October 2006 Application lodged with the State Administrative Tribunal to review the Council's decision.
- 15 November 2006 Directions Hearing held at the State Administrative Tribunal (SAT).
- 11 December 2006 Directions Hearing held at SAT.
- 15 January 2007 Further Direction Hearing to be held at SAT.

DETAILS:

The proposal involves proposed change of use from motel to motel and office and associated alterations and relocation of swimming pool at the subject property.

The Town's representative has provided the following update subsequent to the Directions Hearing held at SAT on 11 December 2006.

"Appeal - 103 Harold Street

An application for Review has been submitted to SAT concerning the Town of Vincent refusal of a change of use from Motel to Office and associated alterations and relocation of the swimming pool.

The premises were previously approved for an office and the Applicant has provided proof that the approval was acted on with the premises being used by Pacific Travel.

Given the above, the application for an office can be supported by Council. This can be done via a minute of consent order agreeing to a discontinuation of the application for review.

The only outstanding issue is therefore the relocation of the swimming pool. This can be dealt with via a separate application or via approval in the minute of consent order. Given there is no issue concerning the swimming pool it is recommended that approval be granted for the swimming pool via a minute of consent order.

Recommendation

That the CEO be authorised to sign a minute of consent order agreeing to discontinuation of the Application for Review for the change of use to office and approving the relocation of the swimming pool."

Further to the above, the SAT Orders from the Directions Hearing held on 11 December 2006 are as follows:

"1. Pursuant to s 31 of the State Administrative Tribunal Act 2004, the Tribunal invites the respondent to reconsider that matter at its meeting of 19 December 2006.

2. The matter is listed for a directions hearing at 10:00am on Monday, 15 January 2007."

CONSULTATION/ADVERTISING:

Not required.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Cost associated with the services of Mr. Simon Bain of SJB Town Planning and Urban Design.

COMMENTS:

It is confirmed that the subject site obtained conditional approval from the Council, at its Ordinary Meeting held on 11 August 1997, for proposed refurbishment of motel, addition of new foyer and change of use of reception centre to office, staff facilities and warehouse/storage. Whilst the Officer report to the subject Council Meeting stated, *"the existing reception area (287 square metres) is proposed to be converted for use by the motel business only"*, there was no conditions on the approval restricting the office use. The Department of Consumer and Employment Protection has confirmed via email that this office use was activated as a license was issued for the subject premises to operate as a travel agency under the provisions of the Travel Agents Act 1985. The license was first issued for the travel agency on 9 April 1998.

Notwithstanding the above, the current plans indicate an increase of 31 square metres of office area from the above approval. This additional office area is not supported, as it increases the intensity of the development and for the reasons outlined in the Council previous refusal of the subject planning application. Accordingly, the gross floor area of the office component has been recommended to be limited in accordance with current approval of the premises; that is, 287 square metres.

In relation to the swimming pool, the proposed relocation of the pool is not considered to have an undue impact on the surrounding neighbours and it is noted that no objections were received during the consultation period of the subject planning application.

In light of the above, it is recommended that the Council supports, as part of the State Administrative Tribunal Review Matter No. DR 378 of 2006, the proposed relocation of the swimming pool, at the subject property, subject to standard and appropriate conditions.

At 10.30pm **Moved Cr Torre, Seconded Cr Farrell**

That an "open" meeting be resumed.

CARRIED (9-0)

15. CLOSURE

The Presiding Member, Mayor Nick Catania, JP, declared the meeting closed at 10.30pm with the following persons present:

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

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 19 December 2006.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2007