



**TOWN OF VINCENT**

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**23 NOVEMBER 2010**

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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 23 November 2010, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

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

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

**(a) Apologies:**

Nil.

**(b) Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake ( <i>Deputy Mayor</i> )	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
Lauren Peden	Journalist – <i>“The Guardian Express”</i>
David Bell	Journalist – <i>“The Perth Voice”</i>

Approximately 13 Members of the Public

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

Nil.

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

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

1. Angie Lionetto-Civa of Fairfield Street, Mt Hawthorn. Read out the following:  
*“I refer to the latest proposal by Optus, through Daly International, to locate a mobile phone base station at the Mezz Shopping Centre, this time not on the lift shaft, but on the south east corner of the complex. I specifically refer to the Australian Communications Industry Forum, which requires Optus Mobile to inform “Interested and Affected Parties”, of any proposed base stations, and to consider their responses.*  
*A petition has already been submitted to the Town of Vincent Council, less than six months ago, opposing the Mezz, not just the top of the lift shaft on the Mezz, as a site for a base station. This petition was signed by over 770 “Interested and Affected Parties”. Tonight we re-submit the petition to you. The community have already given their messages of strong opposition to locating a base station at the Mezz.*

*Town of Vincent policy states that Telecommunications facilities are to be at least 300 metres from homes. The latest proposed site is still closer than 100 metres from residents' homes. The Town of Vincent Council should act in the interests of its residents, and give the strongest possible message to Optus to find a location away from people's homes.*

*The long-term effects of exposure to Electromagnetic Radiation from mobile base stations are unknown. Every scientific report on the subject clearly states this. Therefore, we are not reassured by real or predicted EMR readings, or by compliance with Australian standards. The only responsible action is to locate base stations away from homes.*

*We are asking the Town of Vincent Council to represent us to Optus in the clearest and strongest terms, and to insist that this corporation respect the consultation process and find a location away from people's homes."*

2. Jennifer Robertson of Fairfield Street, Mt Hawthorn. Read out the following:

*"I refer the Council to the latest proposal by Optus, through Daly International, to locate a mobile phone base station at the Mezz Shopping Centre. This proposal is essentially no different from Optus' proposal of several months ago. The Mezz is again being proposed as a site for a mobile base station, or in fact, a number of base stations, as Optus has indicated that it would allow other base stations onto its site if it were to proceed. The latest proposal by Optus is, like the previous proposal, non-compliant with Town of Vincent policy, which states that telecommunication facilities are to be located a minimum of 300 metres from any residential building. The latest proposal also, raises serious public health and safety concerns for our local community. In no way does it address the concerns of the community, expressed through letters and the petition of over 770 community members, that it is too close to residents' homes.*

*We are still talking about a cluster of mobile base stations in this local residential area, emitting Electromagnetic Radiation to local homes 24 hours a day. There are already a number of closely located base stations in the area. We do NOT want more.*

*Optus has submitted electromagnetic radiation readings and predictions, however, this is not what the community asked for: we demanded that Optus find a location away from people's homes, and that is what we still demand.*

*None of the EMR readings provided, nor the statements of compliance with Australian standards, will change the fact that the long-term health consequences of continual exposure to electromagnetic radiation from base stations, are simply unknown.*

*It has been the explicitly and persistently stated by the community to the Town of Vincent through letters, petitions and presentations to Council, that the Mezz is NOT an acceptable location for a mobile base station. Corporate interests should not be allowed to dominate the legitimate, valid and serious concerns of the local community. Optus can and should find a location away from homes, for their proposed base station, for example, along the freeway near Britannia Reserve, which would provide far better clearance from homes.*

*As has been so clearly stated before regarding Optus' almost identical earlier proposal, it is not acceptable to expose our local community to potential harm to theirs and their children's health by allowing a cluster of mobile base stations to be located so close to their homes.*

*Optus should receive the strongest possible message from the Town of Vincent that again, the Mezz is not an acceptable location for mobile base stations. We are asking you, our elected Councillors, to please represent us as strongly as possible in opposing the current proposal."*

3. Graham Lantzke of 13 Egina Street, Mt Hawthorn stated he is speaking on behalf of a resident's group who have been formed in concern of the proposed Britannia Reserve Masterplan – Item 10.2. Advised that they have a number of concerns in relation to the Masterplan i.e. whether it is addressing what it sets out to address, whether the Council is following due process, particularly in respect of the public consultation process, about budget and the extent to which ratepayer funds are going to be used to subsidise the Stadium development. Submitted a plan showing this is a Stadium and not Administration building. Requested that the public consultation be extended. Asked and submitted a copy of the following questions:
- (i) Will the Council please extend the public consultation period for the Britannia Reserve Masterplan by four (4) weeks?
  - (ii) Will the Council please erect a noticeboard on site, publish a notice in the Local Newspapers and take all steps to advertise the plans and answer the queries of the residents and park users?
  - (iii) Can the Council please provide the following information to the ratepayers for consideration?
    - (a) What is proposed to be built, how it will be used, by whom, at what times and how frequently?
    - (b) What is the maximum capacity of the stadium that the Council will set as a condition of the leases and any planning approvals?
    - (c) A plan showing the expected extent of parking.
    - (d) A plan showing the expected extent of traffic impacts.
    - (e) A plan identifying the road safety issues around the site.
    - (f) A plan showing the expected extent of lighting impacts.
    - (g) A plan showing the expected extent of day and night time noise impacts.
    - (h) Advice on how the stadium will be made accessible to public transport.
    - (i) Advice on how the Masterplan will address water conservation, vegetation conservation, Greenhouse Gas and other environmental considerations.
    - (j) A complete budget with breakdown of development works clearly identifying the source of funds for each budget component.
    - (k) A complete budget of all ongoing annual operating, maintenance and capital works renewal costs (depreciation).
    - (l) Information on the value of the land to be leased, proposed leasing fees and clearly identifying the extent to which ratepayer funds will be used to support the proposed in the initial construction, and in future years.
    - (m) An outline of the processes and key milestones which the Town proposes to follow to issue the new lease and obtaining land use planning approvals, clearly identifying the points at which ratepayers and Councillors respectively will have opportunity for further input.
    - (n) An outline of the operational management plans of the Council to address park usage, parking, traffic, social and environmental impacts.

**The Presiding Member, Mayor Nick Catania advised that the questions will need to be researched and therefore would be “taken on notice”.**

4. John Bettes of 1 Coogee Street, Mt Hawthorn on behalf of the Mt Hawthorn Precinct Group (MHPG) – Item 10.2. Advised that MHPG held an Extraordinary Meeting on 17 November 2010 called by concerned residents and members regarding the Masterplans. Stated and thanked several Council Officers who attended to provide further information about the Council's intention. Advised that during the evening it became clear that many residents surrounding Litis and Britannia did not know about the existence of the Masterplan as they had not, amongst other things, received copies of the Council's intentions. Requested an extension of the consultation period to allow for further notification of the Council's intention and particularly for it to be brought to the attention of (a) residents surrounding Litis Stadium, (b) residents of Leederville Gardens and, (c) other residents surrounding Britannia Reserve.

Believed these residents will be most affected by any development and their peaceful enjoyment may be compromised. Advised that at the Meeting, MHPG passed a unanimous motion that the Group contact the Town to ask that the consultation period for be extended to allow for further stakeholder engagement. They do not want the Town to receive criticism resulting from unreasonable accusations of conducting flawed consultation.

5. Maureen Brunn of 58/37 Britannia Road, Leederville – Leederville Gardens – Item 10.2. Advised some residents of Leederville Gardens have only just found out what the Town is planning for Britannia Reserve. They are concerned about their lifestyle and feel that their safety may be jeopardised. They are very upset that they were not notified or consulted and have now been told that it is intended to install high lights all around the park, new toilets and sports being played “day and night”, therefore the current parking problem will increase. Stated that they have managed to obtain brochures from the Council however, requested more time to consider what is proposed. Asked the CEO to attend their residents committee meeting Wednesday 24 November 2010 to discuss the matter.
6. Steve Taylor of 13 Seabrook Street, Mt Hawthorn stated he is speaking on behalf of concerned residents – Item 10.2. Advised that amongst other things, they are concerned about the lack of information. Stated when asking questions in the past regarding noise, lighting and parking impacts, they have been advised that they are details to be sorted out in the future however, believed that there should be something in the Masterplan advising of this. Stated that in their opinion, in the democratic process, where all concerned people cannot vote in a referendum style voting circumstance on every single issue, those who do make decisions ultimately need to be held accountable and, if they do not have enough information, about what is being planned, then there cannot be any accountability by definition. Believed that, notwithstanding any public consultation process, a soccer stadium does not belong in a residential area.

There being no further speakers, public question time closed at approx. 6.26pm.

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

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

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

Nil.

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

Minutes of the Ordinary Meeting of Council held on 9 November 2010.

**Moved Cr Farrell, Seconded Cr Lake**

*That the Minutes of the Ordinary Meeting of Council held 9 November 2010 be confirmed as a true and correct record.*

**CARRIED (9-0)**

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

**7.1 Town of Claremont – Fire Damage to Council Offices and Library – Offer of Assistance**

As you may be aware, a major fire extensively damaged the Town of Claremont Library and Council Administration building last Thursday evening.

This devastating news will obviously impact on the Town of Claremont and its residents. On Friday, the Town's Chief Executive Officer made contact with his counterpart at the Town of Claremont and the Deputy Mayor and offered the assistance of the Town of Vincent. This assistance has been placed in a register, along with other offers provided by various local governments.

Our thoughts are with the Town of Claremont and we trust that they will have a speedy recovery in returning to normal local government services.

**7.2 LotteryWest Grant**

I am pleased to announce that the Premier, the Hon Colin Barnett, MLA has approved a recommendation by the Lotterywest Board for a grant of \$60,000 to the Town of Vincent towards age appropriate outdoor physical fitness courses of balance beams, climbing nets, rock walls, tarzan poles and chin up bars, etc., for the Kyilla Park upgrade in North Perth.

Lotterywest have confirmed they are pleased to support the Town's proposal.

May I thank the Town's Parks & Property Services Section for their hard work in preparing this Grant Application.

**7.3 Launch of "Menuwise"**

The Minister for Health, the Hon Kim Hames, launched the Town's innovative "Menuwise" program at Beatty Park Café on Monday 22 November 2010, along with myself and our other partners;

- Health Department WA (Food Unit);
- Heart Foundation;
- Cancer Council WA;
- Diabetes WA;
- Catering Institute of WA; and
- Nutrition Australia.

"Menuwise" focuses on having food retailers identify the energy/kilojoule content of all food items displayed on menus. This allows consumers to make informed choices based on the nutritional/energy value of food products at the point of sale. Since receiving a Healthway grant in early 2009, the Town's Health Services have worked extensively with key stakeholders to develop this program.

May I thank the Town's Health Services Section for a successful launch and also the Beatty Park Leisure Centre for hosting the Launch.

For information, there has already been quite a bit of feedback from customers at Beatty Park Café regarding this promotion. Everyone has commented that they like having the kilojoule intake on display, with most customers mentioning that they were not aware of the kilojoules in a lot of food. They have all said it is a great idea!

To my knowledge, "Menuwise" is the first program of its type in Western Australia and possibly, one of the first in Australia.

Well done to all involved!

7.4 Heart Foundation Local Government Awards

I am pleased to announce that the Town of Vincent was recognised in the Heart Foundation Local Government Awards 2010 for its "Vincent Physical Activity Strategy".

The Town was one of twelve Western Australian local governments to be recognised and whilst we did not win the overall Award, it is very pleasing that the Town has been acknowledged for its hard work in this area.

Congratulations to our Community Development and Parks & Property Services Sections.

**8. DECLARATIONS OF INTERESTS**

8.1 Mayor Catania declared a Financial interest in Item 9.3.1 – Investment Report. The extent of his interest being that he is the Chairperson of the North Perth Community Bank in which the Town has investment shares

8.2 Cr Burns declared a Financial interest in Item 9.3.1 – Investment Report. The extent of her interest being that she is a shareholder and her father is a director in the North Perth Community Bank in which the Town has investment shares.

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

Nil.

**10. REPORTS**

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

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

Item 10.2.

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

Items 9.1.1, 9.1.2 and 9.4.4.

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

Item 9.3.1.

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

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

Cr Farrell	Items 9.1.6, 9.2.1 and 9.4.3.
Cr Topelberg	Nil.
Cr Buckels	Nil.
Cr McGrath	Item 9.2.3.
Cr Harvey	Nil.
Cr Lake	Nil.
Cr Burns	Nil.
Cr Maier	Item 9.4.2.
Mayor Catania	Nil.

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

10.5 **Unopposed items which will be moved “En Bloc” and the following was advised:**

Items 9.1.3, 9.1.4, 9.1.5, 9.2.2, 9.2.4, 9.3.2, 9.3.3, 9.4.1, 9.4.5 and 9.4.6.

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

Nil.

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

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

Items 9.1.3, 9.1.4, 9.1.5, 9.2.2, 9.2.4, 9.3.2, 9.3.3, 9.4.1, 9.4.5 and 9.4.6.

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

Item 10.2.

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

**Moved Cr Topelberg, Seconded Cr Farrell**

***That the following unopposed items be approved “En Bloc”, as recommended;***

***Items 9.1.3, 9.1.4, 9.1.5, 9.2.2, 9.2.4, 9.3.2, 9.3.3, 9.4.1, 9.4.5 and 9.4.6.***

**CARRIED (9-0)**

**9.1.3 No. 430 (Lot 48 ; D/P 3784) Charles Street, North Perth - Proposed Demolition of Existing Single House and Construction of Four Two-Storey Grouped Dwellings**

<b>Ward:</b>	North	<b>Date:</b>	16 November 2010
<b>Precinct:</b>	North Perth;P08	<b>File Ref:</b>	PRO5149; 5.2010.312.2
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Claude Ambrogio & Associates Architect on behalf of the owner Mirus Holdings Pty Ltd for proposed Demolition of Existing Single House and Construction of Four Two-Storey Grouped Dwellings, at No. 430 (Lot 48; D/P 3784) Charles Street, North Perth, and as shown on plans stamp-dated 6 July 2010 and 27 October 2010, subject to the following conditions:*

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, 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 to Charles Street;*
- (ii) *if entry to neighbouring land is required, first obtaining the consent of the owners of No. 428, No. 432 Charles Street, No. 75, No. 77 Paddington Street and No. 90 Redfern Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls/retaining walls facing No. 428, No. 432 Charles Street, No. 75, No. 77 Paddington Street and No. 90 Redfern Street in a good and clean condition;*
- (iii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (iv) *additional design features using colour and/or relief being incorporated on the visible portion of the northern face of the garage and store boundary wall (Unit 1) facing No. 432 Charles Street to reduce the visual impact of this wall;*
- (v) **PRIOR TO THE ISSUE OF A BUILDING LICENCE**, *revised plans shall be submitted to and approved by the Town demonstrating the following:*
  - (a) **Construction Management Plan**  
*A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:*
    1. *public safety, amenity and site security;*
    2. *contact details of essential site personnel;*
    3. *construction operating hours;*
    4. *noise control and vibration management;*

5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*
7. *stormwater and sediment control;*
8. *soil excavation method (if applicable);*
9. *waste management and materials re-use;*
10. *traffic and access management;*
11. *parking arrangements for contractors and subcontractors;*
12. *Consultation Plan with nearby properties; and*
13. *any other matters deemed appropriate by the Town;*

(b) *Landscape and Reticulation Plan*

*A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town's Parks and Property Services Section for assessment and approval.*

*For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:*

1. *the location and type of existing and proposed trees and plants;*
2. *all vegetation including lawns;*
3. *areas to be irrigated or reticulated;*
4. *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
5. *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

*The Council encourages landscaping methods and species selection which do not rely on reticulation.*

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

(c) *Section 70 A Notification of the Transfer of Land Act*

*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:*

- (1) *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*
- (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. 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;*

(d) *External Fixtures*

*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;*

(e) **Front Fencing**

*The proposed fence shall incorporate 2 design features. Any future front fence, excluding the proposed front fence, within the Charles Street setback area, including along the side boundaries within this street setback area, shall be a maximum of 1.8 metres in height and incorporate 2 design features;*

(f) **Refuse and Recycling Management**

*Bin numbers, collection and stores shall meet with the Town's minimum service provision.*

*Revised plans shall be submitted demonstrating a compliant residential bin store area to the satisfaction of the Town's Technical Services;*

(g) **Verge Bond**

*A Road, Verge security bond or bank guarantee of \$2250 payable by the Builder shall be lodged with the Town prior to the issue of a Building Licence and be held until all building/development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired/reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing. This bond is non-transferable; and*

(h) **Main Roads**

*Plans are being submitted to and approved by Main Roads; and*

(vi) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) **Vehicular Entry Gates**

*Any proposed vehicular entry gates shall be a minimum 50 per cent visually permeable, and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted to and approved by the Town; and*

(b) **Car Parking**

*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.*

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**COUNCIL DECISION ITEM 9.1.3**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (9-0)**

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<b>Landowner:</b>	Mirus Holdings Pty Ltd
<b>Applicant:</b>	Claude Ambrogio & Associates Architect
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R60
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Grouped Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	792 square metres
<b>Access to Right of Way</b>	Not applicable

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination.

**BACKGROUND:**

Nil.

**DETAILS:**

The proposal involves demolition of a single house and construction of four, two storey grouped dwellings.

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

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Density:</b>	R 60- 4.4 grouped dwellings	R60- 4 grouped dwellings.
<i>Officer Comments:</i>		
Noted; no variation		
<b>Plot Ratio:</b>	N/A	N/A
<i>Officer Comments:</i>		
Noted.		
<b>Minimum Site Area:</b>	160 square metres	Lot1= 136.02 square metres Lot 2= 139.47 square metres Lot 3= 139.36 square metres
<i>Officer Comments:</i>		
Supported: The proposed lots comply with the average lot requirement of the R-Codes (180 square metres). Part of the land area is to be given for road widening and used for the driveway (common area). To overcome these limitations on the development of the land and allow land to be developed with housing of the same type, the variation to the minimum site area is supported.		
<b>Front Setbacks:</b>		
<b>Unit 1:</b>		
<b>Ground Floor</b>		
<b>West</b>	12.8 metres	3.86 metres to 5.637 metres
<b>First Floor</b>		
<b>West</b>	14.8 metres	7.568 metres
<i>Officer Comments:</i>		
Supported: The streetscape along Charles Street is eclectic with some buildings having nil street setbacks and other buildings having lesser street setbacks than proposed for this development. Moreover, the road widening for lots along this section of Charles Street will result in further interruption of the existing streetscape. It is considered that the variation will not unreasonably impact on the streetscape of Charles Street.		

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Building Setbacks:</b>  <b>Ground Floors</b>  <b>Units 1,2,3 and 4</b>  <b>North</b>	1.5 metres	Nil to 1 metre
<i><b>Officer Comments:</b></i>		
Supported: The variation will not result in an undue impact on the adjoining northern property in terms of overshadowing and ventilation.		
<b>Boundary Wall</b>	Boundary wall not to be located within the front setback.	Boundary wall within the front setback.
<i><b>Officer Comments:</b></i>		
Supported: Due to the eclectic streetscape along Charles Street, the boundary wall will not have an undue impact on the streetscape. If this application is supported, the applicant will be required to provide two design features to minimise the visual impact.		
<b>Garage</b>	Garage to be setback a minimum of 0.5 metre behind line of front dwelling.	Garage in front of the dwelling.
<i><b>Officer Comments:</b></i>		
Supported: In view of comments above, it is considered there will be no undue impact on the streetscape.		
<b>Street Walls and Fences</b>	Fence Height= 1.8 metres above footpath level	2.4 metres above footpath level Height of piers = 2.4 metres Distance between piers= 2.1 metres  Applicant submitted amended plans as follows: The maximum height above footpath level is 1.8 metres to 1.9 metres.
<i><b>Officer Comments:</b></i>		
Supported: Given the land slopes at the front, the height of 1.9 metres is supported. Moreover, given that Charles Street is a Primary Distributor, a solid wall fence is permitted. If this application is supported, the applicant will be required to provide at least two design features to reduce the visual impact.		
<b>Open Space</b>	45 per cent	Unit 1= 43.8 per cent  Unit 2= 34.5 per cent  Unit 3= 34.7 per cent
<i><b>Officer Comments:</b></i>		
Supported: Given the variation to the minimum site area, an open space variation for the three lots has resulted. However, with regard to the whole site, the four units comply with the overall open space. Moreover each unit has a useable private open space (outdoor living area) and the overall open space will complement the proposed buildings. In this instance, the variations to the open space are supported.		

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Site Works</b>	Retaining walls not more than 0.5 metre  Setback= 1.5 metres	North  Retaining walls height= 0.5 metre to 1.2 metres  Setback= Nil  South  Retaining walls height= 0.5 metre to 1.575 metre  Setback= Nil
<b><i>Officer Comments:</i></b>		
Supported: Given the land slopes by 3 metres, retaining walls are required to support a functional development on the subject site. The retaining walls will be staggered from 0.5 metre to a maximum height of 1.575 metres which minimises the impact on the adjoining properties. In this instance, the variation is supported.		
<b>Building Height</b>	7 metres	7.5 metres to 8.2 metres
<b><i>Officer Comments:</i></b>		
Supported: Given the slope of the land, new development will struggle to comply with the required height. Generally, the units comply with the 7 metres height limit; however, the feature coloured walls exceed 7 metres. Moreover, if the proposed units had pitched roofs then the maximum height would be 9 metres. In this instance, the variation to height is supported.		
<b>Driveway</b>	No closer than 0.5 metre to the boundary.	Nil setback to the boundary.
<b><i>Officer Comments:</i></b>		
Supported: No undue impact on the streetscape.		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

<b>Consultation Submissions</b>		
<b>Item</b>	<b>Comments Received</b>	<b>Officer Comments</b>
Support	Nil	Noted.
Objections (4)	Street Setback  The front building line is not consistent with the adjoining properties and therefore it will impact on the amenity of the area.  Boundary Wall  The boundary wall, being solid appearance, will impact on the streetscape.  Garage  Garage should be behind the front dwelling to be consistent with the policy for streetscape.	Not supported- Refer to Compliance Table.  Not supported- Refer to Compliance Table.  Not supported- Refer to Compliance Table.

	<p>Open Space and Fence</p> <p>The development should comply with these requirements.</p> <p>Building Height, Privacy and Noise</p> <p>The adjoining properties would suffer loss in values due to loss of city views, privacy and noise impacts.</p> <p>Parking</p> <p>There will be overflow of parking on the streets.</p> <p>Variations to requirements</p> <p>The Town should not support any variations to the design guidelines.</p>	<p>Not supported- Refer to Compliance Table.</p> <p>Not supported- Refer to Compliance Table. Protection of views is not a planning issue and the proposed development complies with the privacy requirements. With regard to noise, the future owners are required to comply with the Noise Regulations applicable to residential areas.</p> <p>Not supported- The application complies with the parking requirements as specified in the R-Codes.</p> <p>Not Supported- Refer to Compliance Table. The R-Codes allow variations to the design guidelines, subject to the Town being satisfied that there will be no impact on the amenity of the surrounding area.</p>
<b>Advertising</b>	Advertising for a period of 14 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

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

**COMMENTS:**

**Demolition**

The subject dwelling at No. 430 Charles Street, North Perth is a brick and tile residence constructed circa 1939 in the Interwar Bungalow style of architecture.

The subject place is first listed in the WA Post Office Directories in 1940 and was occupied by Charles J Matheson. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

The subject dwelling has a main hipped roof and two secondary gabled and hipped protruding roofs. The three arched loggias across the street frontage at the front varandah, which has been infilled with metal gates, are believed to be built in the Post-war period as an addition to the original Interwar bungalow. Further to this, a number of alterations have been undertaken over the years, including the rendering of the exterior walls and the replacement of original windows with aluminium windows.

A comparison of the original Building Licence Plan dated 1938 with the floor plan dated 6 July 2010 indicates that the current internal configuration of the subject dwelling is relatively intact, with the exception that an addition, which contains a laundry and water closet, has been erected to the rear of the existing dwelling in a later stage since its construction.

A preliminary heritage assessment, including an external inspection undertaken on 23 July 2010, indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management - Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

In light of the above, it is considered that approval should be granted for demolition subject to standard condition.

### **Planning Control Area No. 88**

As per the latest advice received from the Western Australian Planning Commission (WAPC), only development within the Planning Control Area (road widening area) is to be referred to the WAPC for a decision. Given this development is not within the road widening area, there is no requirement for the Town to refer this application to the WAPC for determination.

In light of the above, given that the development will not unreasonably impact on the surrounding area, it is recommended that Council approve the application, subject to standard and appropriate conditions to address the above matters.

**9.1.4 No. 60 (Lot 166; D/P 3845) Ellesmere Street, Mount Hawthorn - Proposed Alterations and Additions to Existing Single House – Application for Retrospective Approval**

<b>Ward:</b>	North	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	Mount Hawthorn; P01	<b>File Ref:</b>	PRO0691; 5.2010.564.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	D Pirone, Statutory Planning Officer		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by the owners T Cherry and T Briedis for proposed Alterations and Additions to Existing Single House – Application for Retrospective Approval, at No. 60 (Lot 166; D/P 3845) Ellesmere Street, Mount Hawthorn, and as shown on plans stamp-dated 1 November 2010, subject to the following conditions:*

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, 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 from Ellesmere Street;*
- (ii) *any new street/front wall, fence and gate within the Ellesmere Street setback area, including along the side boundaries within this street setback area, shall comply with the Town’s Policy provisions relating to Street Walls and Fences;*
- (iii) *no street verge tree(s) shall be REMOVED. The street verge tree(s) is to be RETAINED and PROTECTED from any damage including unauthorized pruning; and*
- (iv) **WITHIN TWENTY EIGHT (28) DAYS FROM THE ISSUE OF THIS ‘APPROVAL TO COMMENCE DEVELOPMENT’, the applicant shall submit to the Town;**

(a) **Building Approval Certificate**

*A Building Approval Certificate Application (Form 8,) including architectural drawings and building compliance report (BCA), which are prepared by a qualified Practicing Building Consultant demonstrating the building complying with the Building Code of Australia (BCA) requirements for class 1 building. The cost of this service shall be borne by the applicant/owner(s);*

*The works associated with the submission of the above shall be completed within 28 days of the Town approving the submitted information.*

**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

<b>Landowner:</b>	T Cherry and T Briedis
<b>Applicant:</b>	T Cherry and T Briedis
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	491 square metres
<b>Access to Right of Way</b>	Not applicable.

**PURPOSE OF REPORT:**

The proposal requires referral to the Council as the Town's Officers do not have the delegation to determine retrospective applications.

**BACKGROUND:**

17 April 1996 The Town issued a Building Licence for alterations and additions to the existing single house.

28 June 1996 The Town issued a Building Licence for a carport addition to the existing single house.

**DETAILS:**

The proposal involves an application for retrospective approval for minor alterations and additions to the existing single house. These constructed alterations and additions include the following:

- The addition of a bathroom and study within a portion of the approved pergola area;
- The extension of the pergola by 2.75 metres;
- The addition of a patio from the approved pergola;
- Altering the approved dining room area into a bedroom; and
- Increasing the size of the bathroom.

**COMPLIANCE:**

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<b>Building Setbacks:</b>		
-West	1.5 metres	1.13 metres
-East	1.5 metres	0.6 metre
<i>Officer Comments:</i>		
Supported – This is not considered to have an undue impact on the neighbouring properties and the applicant has obtained the consent of the owners of the affected properties.		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

Consultation Submissions		
Item	Comments Received	Officer Comments
Support (2)	No objections to the proposal.	Noted.
Objection	Nil.	Noted.
<b>Advertising</b>	Advertising was not required in this instance as the applicant has obtained the consent of the owners of the affected properties.	

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

**COMMENTS:**

The constructed alterations and additions to the existing single house are minor and result in a setback variation of 1.13 metres on the western elevation and 0.6 metre on the eastern elevation, in lieu of 1.5 metres. The applicant has obtained the consent of the owners of the neighbouring properties and in light of this, it is recommended that the Council approve the application, subject to standard and appropriate conditions to address the above matters.

**9.1.5 No. 14 (Lot 2; D/P 3428) Forrest Street, Dual Frontage to Monmouth Street, Mount Lawley - Proposed Partial Demolition of, and Alterations and Additions, to Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	Norfolk: P10	<b>File Ref:</b>	PRO5248; 5.2010.511.1
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a>		
<b>Reporting Officer:</b>	D Pirone, Statutory Planning Officer H Au, Heritage Officer		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by the owners S and M Hearse for proposed Partial Demolition of, and Alterations and Additions to Existing Single House, at No. 14 (Lot 2; D/P 3428) Forrest Street, Dual Frontage to Monmouth Street, Mount Lawley, and as shown on plans stamp-dated 1 October 2010, for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (ii) the non-compliance with the Town's Policy No. 3.6.1 relating to Heritage Management - Development Guidelines for Heritage and Adjacent Properties, particularly as the location and proportion of the proposed ensuite addition will alter the front facade, thereby removing the place's original symmetrical presentation.*

**COUNCIL DECISION ITEM 9.1.5**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (9-0)**

<b>Landowner:</b>	S & M Hearse
<b>Applicant:</b>	S & M Hearse
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R60
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	358 square metres
<b>Access to Right of Way</b>	Not Applicable

**PURPOSE OF REPORT:**

The proposal requires referral to the Council as the Town's Officers do not have the delegation to determine applications, where the proposed development affects a place of cultural heritage significance or heritage place.

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves the partial demolition of, and alterations and additions to the existing house to enclose the western portion of the front verandah to accommodate an ensuite for the front bedroom.

The applicant's submission is outlined below.

*"There are several changes that have already been made the exterior of the buildings, including changes to the original doors and windows so that they are no longer identical, and roof lines and cornicing that are completely different. The fence line is also different.*

*The heritage register description reads;*

*"The two single storey brick and tile Federation cottages at Nos. 14 and 16 Forrest Street are symmetrically planned with a two room frontage. The dwellings are similar in style and feature a hipped iron roof and a front facing gable, with two chimneys symmetrically positioned on the east and west portion of the roof visible from Forrest Street. The dwellings feature a skillion verandah supported by turned timber posts of which No. 16 has recently been replaced now featuring a gable addition to the verandah."*

*This description suggests that previous changes have been approved that do change the physical similarities of the buildings.*

*Our plans also do not alter the two room frontage from the description, nor does it alter the fact that the buildings are similar in style and feature a hipped iron roof and a front facing gable, with two chimneys symmetrically positioned on the east and west portion of the roof visible from Forrest Street. We are not seeking to change the roof line at all, a decision that was made based on retaining this symmetry.*

*We have looked at other possibilities for putting in an additional bathroom, while still retaining the natural balance and flow of the house, and there are no options that would not impact on the appearance of the verandah. As a four bed roomed dwelling (therefore a family home), having one small bathroom impacts on our liveability in the home (accommodate contemporary requirements). We have given all due respect to preserving the heritage appearance while still maximising the light required.*

*The property is not considered of State importance and is not listed on the State Heritage list. It is also a Category B which is Heritage recommended. Surely it is more appropriate to work towards developing a plan that works for both parties rather than take a stance that will result in us requiring a demolition? There is a lot of maintenance work we intend to undertake to preserve the house's condition and appearance, and we would have to consider the position of spending significant monies restoring a property that doesn't fit our needs over demolishing and building something that does. It is certainly our preference to retain a heritage building, providing we can actually live in it.*

*"Inclusion of a place in the Municipal Heritage Inventory DOES NOT prohibit development." It is a common belief that if a place is included in the Municipal Heritage Inventory then that place cannot be altered in any way. This is not the case. The Town of Vincent recognises that the best way to protect heritage places is to have them occupied and in use. This means that development of places listed in the Inventory to accommodate contemporary requirements and uses will be encouraged."*

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Policy No. 3.6.1 relating to Heritage Management - Development Guidelines for Heritage and Adjacent Properties</b>	A.1.1 Development within zones, spaces and fabric of the place identified as significant is conserved and/or adapted in a manner that protects the significant heritage values.	The place is identified as having <i>some aesthetic value</i> as a Federation Cottage. It retains the aesthetic characteristics of early-century architecture, with the geometry and rhythm of scale and materials associated with the style. Its façade detail and its presentation to the street are integral components of its heritage value.
	A.2.1 The additions and alterations do not; <ul style="list-style-type: none"> <li>• alter the original facade(s) or roof pitch;</li> <li>• obscure or alter an element that contributes to the significance of the place</li> </ul>	The proposed ensuite addition alters the front façade by enclosing portion of the verandah.
	A.2.4 New openings in the principal facade(s) visible from the street are avoided, or if openings are visible, they are proportionally related to those of the heritage place, unless concealed from view from the principal street frontage.	The installation of two obscure sash windows along the western end of the façade will remove the symmetrical presentation of the building and will dominate the façade when viewed from the street.
<b><i>Officer Comments:</i></b>		
Not supported – The proposed additions result in changes to the front façade, which is located in a zone of the place identified as significant. The places original symmetrical presentation would be compromised by this addition and the introduction of asymmetrical elements (that is, two sash windows).		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

<b>Consultation Submissions</b>	
<b>Advertising</b>	Advertising was not required in this instance as the application is compliant with the Town's Residential Design Elements Policy and the R Codes, and as the development is of a marginal complex nature or impact (Category 3) that is not supportable by the Town's Officers.

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

**COMMENTS:**

The subject dwelling at No. 14 Forrest Street is listed on the Town's Municipal Heritage Inventory as Management Category B - Conservation Recommended. The Place Record Form identifies that the subject dwelling at No. 14 Forrest Street, together with No. 16 Forrest Street, has *some aesthetic value* as they are a good intact pair of Federation Cottages constructed as identical dwellings c1906.

A Heritage Impact Statement was undertaken on 11 November 2010, to assess the impact of the proposal on the identified cultural heritage value of the place. The Heritage Impact Statement which is included as an attachment to this report, identified that the cultural heritage aesthetic value will be negatively impacted by the proposal for the reasons summarised below:

- The proposed enclosure of a portion of the verandah and the installation of two obscure sash windows along the western end of the façade does not respect the location and proportion of the existing facade, and the distinctive symmetrical design of the facade would be compromised by the introduction of asymmetrical elements (that is, the introduction of two sash windows).
- Non-compliance with the provisions of the Town's Policy No. 3.6.1 relating to Heritage Management - Development Guidelines for Heritage and Adjacent Properties as outlined in the Non-Compliant Table above.

Given that the proposed addition distorts fabric that contributes to the understanding of the cultural significance of the place, it is recommended that the Council refuse the application subject to the reasons stated above and in the Officer Recommendation.

**9.2.2 Parks Outdoor Exercise Equipment – Proposed Locations**

<b>Ward:</b>	Both	<b>Date:</b>	17 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	RES0039
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	K Godfrey; Parks Technical Officer J van den Bok, Manager Parks & Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the installation of twenty eight (28) items of exercise equipment in the locations outlined below (and shown in Appendices A-F), which were assessed in accordance with the criteria developed as part of the ‘Draft Physical Activity Plan’:*

- (i) *Charles Veryard Reserve – six (6) items (see Appendix 9.2.2A);*
- (ii) *Beatty Park Reserve – two (2) items (see Appendix 9.2.2B);*
- (iii) *Mick Michael Reserve – four (4) items (see Appendix 9.2.2C);*
- (iv) *Menzies Park –four (4) items (see Appendix 9.2.2D);*
- (v) *Forrest Park – six (6) items (see Appendix 9.2.2E); and*
- (vi) *Les Lilleyman Reserve – six (6) items (Appendix 9.2.2F).*

**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is for the Council to approve the proposed locations for the additional ‘Outdoor Exercise Equipment’.

**BACKGROUND:**

At its Ordinary Meeting held on 13 July 2010 the Council considered a report in relation to the Federal Government - Regional and Local Community Infrastructure Program (RLCIP) where the following decision was made (in part):

*“That the Council;*

*...(iii) APPROVES BY AN ABSOLUTE MAJORITY:*

- (a) *to amend the Town of Vincent Budget 2010/2011 to include the Federal Government Grant of \$65,000; and*

- (b) *the following project to be carried out during the 2010/2011 financial year using the RLCIP Round Three funding:*

*Priority No. 1 Outdoor Exercise Equipment for Reserves as listed:*

- *Forrest Park;*
- *Britannia Road Reserve;*
- *Charles Veryard Reserve;*
- *Les Lilleyman Reserve; and*
- *Beatty Park Reserve.”*

## **DETAILS:**

### **Physical Activity Plan**

As detailed in progress reports relating to ‘Outdoor Exercise Equipment’ the Council previously endorsed an initiative to develop a ‘Physical Activity Plan’ and a ‘Parks & Reserves Strategy/Recreational Needs Analysis’.

One of the many issues consultants were to consider, as part of the above plan/strategy, was the installation of additional Outdoor Exercise Equipment and the identification of suitable locations.

The consultant's recommendations were somewhat generic in terms of locations for the installations and the general view was that the Town should consolidate the equipment in areas where items of this equipment were previously installed.

Therefore Parks Services and Community Development Officers inspected each prospective parks/reserves and assessed each potential site based on the consultant's recommendations in accordance with the following criteria:

#### Parkland

- A clear open visible site
- Available shade (existing trees)
- Proximity to dog exercise area and sporting facilities
- A level site (where possible)
- Available space between equipment
- Available space for provision of bicycle rack/s

#### Facilities

- Lighting of the site
- Seating/tidy bins
- Drinking fountain
- Existing playground equipment
- Public toilets
- Signage

#### Paths & Traffic

- Proximity to existing infrastructure such as dual use pathways/cycle routes including the Town's Wetlands Heritage Trail.
- Adequate distance from arterial roads to avoid vehicular traffic.

### Streetscape

- Passive surveillance of equipment from adjacent residents and park patrons.

### Universal Access

- Semi mountable kerbs
- Ramps (where required)
- Disabled parking bays.

### Existing Outdoor Equipment Locations.

- Britannia Road Reserve - South: 4 items
- Banks Reserve - 4 items
- Menzies Park - 4 items
- Robertson Park - 4 items
- Charles Veryard Reserve - 2 items
- Beatty Park Reserve - 2 items
- Les Lilleyman Reserve - 2 items
- Forrest Park - 2 items

Also part of the assessment criteria was viewing the Australian Bureau of Statistics 2006 Census of Population and Housing for the Town. This Census map gave an overall picture as to which precincts within the Town would most benefit by having Outdoor Exercise Equipment installed.

In addition, an integral part of this assessment was to incorporate the proposed locations of the new exercise equipment adjacent to the Town's Wetlands Heritage Trail/Greenway as utilising this trail would maximise exposure of the new exercise equipment to the public.

### **Proposed Locations for Additional Outdoor Gym Equipment**

#### Charles Veryard Reserve

This reserve currently has two (2) existing outdoor gym equipment items located near the playground and this location is adjacent to the start of the proposed "Wetlands Heritage Trail/Greenway". Locating an *additional six (6) new items* of exercise equipment will maximise the exposure to the public and provide an opportunity to participate in more varied exercises.

#### Beatty Park

Beatty Park has a new playground and currently there are two (2) items of outdoor gym equipment. This park and its facilities are also located on the "Wetlands Heritage Trail/Greenway". Due to a lack of free area around the park it is proposed to install only *an additional two (2) new items* of outdoor gym equipment in this park.

#### Forrest Park

Forrest Park is very popular with recreational and sporting groups including dog walkers. There is an existing pathway around the reserve that will shortly be extended around the entire perimeter. This Park is also adjacent to Mt Lawley TAFE and this frontage of Harold Street is very popular with students whilst walking/cycling to TAFE.

Given the high profile of this park including its exposure to the general public it is recommended to install an *additional six (6) items* of exercise equipment. This will increase the opportunity for residents/general public to participate in regular physical activity.

Les Lilleyman Reserve

Les Lilleyman Reserve is similar to Forrest Park in that it is very popular with sporting groups and dog walkers. Currently there are two (2) items of exercise equipment located near the playground. It is therefore recommended to install an *additional six (6) new items* of outdoor gym exercise equipment.

Menzies Park

Menzies Park in Mt Hawthorn is another area that is well utilised by sporting groups and popular with residents visiting the large playground facilities on offer. This park was one of the first to have four (4) items of exercise equipment installed.

This outdoor gym equipment is very popular with residents/general public, therefore to increase the opportunity for people to participate in regular exercise, it is proposed to install an *additional four (4) items* of new equipment.

Mick Michael Reserve

Mick Michael Reserve is a small passive park that borders Royal Park, currently there is no exercise equipment located within either of these reserves. Mick Michael Reserve is also located on the Town's Wetlands Heritage Trail/Greenway. It would therefore be ideal to install some items of outdoor exercise equipment.

It is recommended to install *four (4) items* of exercise equipment within the reserve which will provide a full set of equipment taking into account the other four (4) items installed in adjacent Beatty Park Reserve.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.5 Enhance and maintain parks, landscaping and community facilities“(a) *continue to implement infrastructure improvements for public open space, including the Wetlands Heritage Trail and the Greenway Plan.*”

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

A total budget of \$105,000 is now available for the installation of Parks Exercise Equipment which is made up of the \$65,000 (RLCIP) funding and \$40,000 listed in the 2009/10 budget.

The average cost of supplying one (1) item of outdoor gym exercise equipment including soft fall and installation is between \$3,500 - \$4,000 depending on the particular item being installed. It is proposed to purchase and install twenty eight (28) items of outdoor gym exercise equipment with the funding available.

**COMMENTS:**

Parks Officers have noticed an increase in the use of all the Exercise Equipment located within the various parks and reserves.

Placing additional items of varied exercise equipment will offer residents and the general public a greater choice and range of exercises that will target different areas of their body to improve their physical health and well being.

**9.2.4 Tender No. 422/10 - Supply and Delivery of One (1) only 19 Cubic Metre Rear Loader Compactor Refuse Truck with Twin Bin Lifters**

<b>Ward:</b>	Both	<b>Date:</b>	17 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0430
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	C Economo, Manager Engineering Operations R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council ACCEPTS the tender submitted by Truck Centre WA Pty Ltd as being the most acceptable and advantageous to the Town, for the Supply and Delivery of One (1) only 19 Cubic Metre Rear Loader Compactor Refuse Truck with Twin Bin Lifters for the total cost of \$334,500 (GST exclusive) in accordance with the specifications as detailed in Tender No. 422/10.*

**COUNCIL DECISION ITEM 9.2.4**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval to award a tender for the supply and delivery of one (1) only 19 cubic metre Rear Loader Compactor Refuse Truck with Twin Bin Lifters to the preferred supplier.

**BACKGROUND:**

Tenders for the supply of the above item of plant closed at 2.00pm on 13 October 2010 and four (4) tenders were received. Present at the tender opening were the Purchasing/Contracts Officer and the Manager Engineering Operations.

**DETAILS:**

Details of all submissions received are as follows. Note all prices exclude GST

**Supplied with 'MacDonald Johnston' Compactor Unit:**

Description	Major Motors	WA Hino	Skipper Trucks	Truck Centre
Supply and delivery of new vehicle including trade-in	\$326,625	\$292,724	*\$297,690	\$334,500

\* non-conforming tender

**Supplied with ‘Superior Maxi Pac’ Compactor Unit:**

Description	Major Motors	WA Hino	Skipper Trucks	Truck Centre
Supply and delivery of new vehicle including trade-in	\$302,763	\$268,863	*\$272,329	\$310,639

\* non-conforming tender

**Evaluation Criteria**

The following evaluation criteria was applied in the assessment of the tender:

Evaluation Criteria		Weighting
Mandatory Product Feature	Product features essential to undertake required function. Specification conformance. Response and Detail to Specification. Noise levels to be stated.	25%
Special Facilities	Ease of vehicle servicing. Availability of spare parts. Number of technical support staff available.	25%
Price Tender	The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the Town’s discretion	20%
Life Cycle Costs	Service/maintenance costs	10%
Operators Ergonomics	East of operation/controls. Operator comfort	10%
Warranty	Assessed on performance. Warranty period offered	5%
Delivery	Tenderer to state time frame	5%
<b>TOTAL</b>		<b>100%</b>

Tender Evaluation Panel

The Tender Evaluation Panel consisted of the Director Technical Services, Rick Lotznicker, Director Corporate Services Mike Rootsey and Manager Engineering Operations Con Economo. Each tender was assessed using the above selection criteria in accordance with the tender documentation.

Note: The tender submitted by Skipper Trucks was assessed and deemed ‘Non- Compliant’ as the transmission system proposed did not comply with the requirements of the specification. This tender was not assessed further.

Note: All trucks submitted a proposal for the Compactor Body to be built by either Superior Pak Pty Ltd or MacDonald Johnston Pty Ltd. The Superior Pak compactor did not comply with all of the Mandatory Product features as specified in the tender. Superior Pak when contacted advised that there were no compactor bodies similar to the one specified in the tender available for viewing in WA and the referees provided in the tender were for the ‘side arm’ application and not the ‘rear loader’ application. This tender was not assessed further.

Tenders submitted were assessed with a MacDonald Johnston Compactor Unit.

Tender Summary

Evaluation Criteria	Weighting	Major Motors	WA Hino	Truck Centre
Mandatory Product Features	25%	22.00	22.00	24.00
Special Facilities	25%	25.00	25.00	25.00
Price Tender	20%	17.92	20.00	17.50
Life Cycle Costs	10%	0.00	8.00	10.00
Operators Ergonomics	10%	8.00	8.00	10.00
Warranty	5%	5.00	5.00	5.00
Delivery	5%	5.00	0.00	5.00
<b>Total</b>	<b>100%</b>	<b>82.92</b>	<b>88.00</b>	<b>96.50</b>

The Tender Evaluation Panel met on 17 November 2010 to assess tender submissions for the project. The Panel's comments are outlined below:

**1. Major Motors Pty Ltd – 2010 ISUZU FH FVY 1400 Auto**

Mandatory Product Features: (25%)	22.00	<ul style="list-style-type: none"> <li>Mostly compliant with truck/cab/chassis however fuel tank not fully compliant with specification.</li> <li>Compliant power output - 221 kW@2400RPM/981Nm @1450 RPM.</li> <li>Noise levels not stated as requested.</li> <li>Complies with minimum tender requirement of Euro IV emissions standard. Euro V will be new minimum emission standard from January 2011.</li> </ul>
Special Facilities (25%)	25.00	<ul style="list-style-type: none"> <li>Good servicing facilities</li> <li>Spare parts available</li> <li>Adequate technical staff available to undertake maintenance and repairs.</li> </ul>
Price Tender: (20%)	17.92	<ul style="list-style-type: none"> <li>Second lowest.</li> </ul>
Life Cycle Costs (20%)	0.00	<ul style="list-style-type: none"> <li>No life cycle costings provided.</li> </ul>
Operators Ergonomics (10%)	8.00	<ul style="list-style-type: none"> <li>Complied with most operator control requirements.</li> <li>Similar vehicle test driven by TOV drivers/supervisor and compared with other Tender submissions received.</li> </ul>
Warranty (5%)	5.00	<ul style="list-style-type: none"> <li>3 years/200,000 klm/3,000 hours/3 years/unlimited km on cab perforation corrosion</li> </ul>
Delivery (5%)	5.00	<ul style="list-style-type: none"> <li>Ex-stock Melbourne</li> </ul>
<b>Total weighted score:</b>	<b>82.92</b>	

Comment:

This Tender provided the lowest price. The Tender was well documented however no information on life cycle costing was provided nor noise levels stated as requested. This vehicle was tested to assess operator Ergonomics and compared with the other Tendered vehicles. This company has previously provided plant and equipment to the Town. The vehicle being offered complies with Euro IV emissions. Euro V will be new minimum emission standard from January 2011.

**2. W.A. Hino Sales & Service – HINO 500 SERIES FM 2630 Auto**

Mandatory Product Features: (25%)	22.00	<ul style="list-style-type: none"> <li>Compliant with most truck/cab/chassis requirements however turning circle of vehicle less than specified, steps may pose a health/safety issue, mirrors not motorised</li> <li>Compliant power output - 221kW@2100rpm/1079Nm@1100rpm</li> <li>Noise levels not stated as requested.</li> <li>Unsure whether vehicle complies with minimum tender requirement of Euro IV emissions as this was not stated. Euro V will be new minimum emission standard from January 2011.</li> </ul>
Special Facilities (25%)	25.00	<ul style="list-style-type: none"> <li>Good servicing facilities available.</li> <li>Spare parts available.</li> <li>Adequate technical staff available to undertake maintenance and repairs.</li> </ul>
Price Tender: (20%)	20.00	<ul style="list-style-type: none"> <li>Lowest</li> </ul>
Life Cycle Costs (20%)	8.00	<ul style="list-style-type: none"> <li>Information provided on operating costs and compared with other Tender submissions received.</li> </ul>
Operators Ergonomics (10%)	8.00	<ul style="list-style-type: none"> <li>Complied with most operator control requirements.</li> <li>Similar vehicle test driven by TOV drivers/supervisor and compared with other Tender submissions received.</li> </ul>
Warranty (5%)	5.00	<ul style="list-style-type: none"> <li>3 years or 200,000kms/cab corrosion perforation 36 months.</li> </ul>
Delivery (5%)	0.00	<ul style="list-style-type: none"> <li>Not stated</li> </ul>
<b>Total weighted score:</b>	<b>88.00</b>	

Comment:

This Tender provided the second lowest price. The Tender was well documented however no information on delivery was provided and noise levels not stated as requested nor whether the vehicle complied with Euro IV or Euro V emission standards. The vehicle was tested to assess operator Ergonomics and compared with the other Tendered vehicles. This company has previously also provided plant and equipment to the Town.

**3. Truck Centre W A Pty Ltd - VOLVO FE 300 HP**

Mandatory Product Features: (25%)	24.00	<ul style="list-style-type: none"> <li>Compliant with truck/cab/chassis requirements, suspension offered different from what was specified.</li> <li>Compliant power output - 221kW/1160 Nm.</li> <li>Noise levels 'stated'. 54 dBA low idle/cruise 85km/hr 70dBA. Very low noise levels.</li> <li>Exceeds requirements. Euro V emissions compliant engine to be provided</li> </ul>
Special Facilities (25%)	25.00	<ul style="list-style-type: none"> <li>Good servicing facilities.</li> <li>Spare parts available.</li> <li>Adequate technical staff available to undertake maintenance and repairs.</li> </ul>

Price Tender: (20%)	17.50	• Highest
Life Cycle Costs (20%)	10.00	• Life cycle/maintenance costs provided are the lowest submitted
Operators Ergonomics (10%)	10.00	• Excellent/best ergonomics of the three tenders submitted. Adjustable steering wheel to suit drivers position. Vehicle test driven.
Warranty (5%)	5.00	• 36 months/400,000kms engine/36 months/unlimited kms cab perforation
Delivery (5%)	5.00	• Within three (3) weeks from Eastern States for additional cost or up to six (6) months at no additional charge from overseas.
Total weighted score:	<b>96.50</b>	

Comment:

This Tender provided the highest overall price, was very well documented and all information requested was provided and mostly complied with the selection criteria. This vehicle was also tested to assess operator Ergonomics and compared with the other Tendered vehicles. Noise emission levels were stated, with the vehicle recording very low levels for both engine and braking. The vehicle being offered has the best environmental credentials as it complies with Euro V emission standards and ergonomically has an advanced design for the driver/passenger and provides the highest level of safety requirements. It also provides good vehicle manoeuvrability designed for tight city streets. This Tender is recommended.

**CONSULTATION/ADVERTISING:**

Tender was advertised in accordance with the requirements of the Local Government Act Tender Regulations.

**LEGAL/POLICY:**

Tender No. 422/10 - Supply and Delivery of One (1) only 19 Cubic Metre Rear Loader Compactor Refuse Truck with Twin Bin Lifter was advertised in accordance with the Local Government Act Tender Regulations.

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$340,000 has been allocated in the 2010/2011 budget for replacement of this item of plant funded from the Waste Management Reserve.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One, Natural and Built Environment of Strategic Plan 2010-2015 – *Objective 1.1: Improve and Maintain the Environment and Infrastructure.*

**COMMENTS:**

The Town's Manager Engineering Operations in liaison with the Town's Operational personnel has carried out extensive research, investigation and liaison with other Waste practitioners with regard to refuse trucks and compactors. Following this research and assessment the evaluation panel recommends that the Volvo FE 300 HP with a MacDonald Johnston Compactor unit supplied by Truck Centre W A Pty Ltd - represents the most suitable vehicle for the required function and is considered the most acceptable and advantageous to the Town.

**9.3.2 Authorisation of Expenditure for the Period 1 – 31 October 2010**

<b>Ward:</b>	Both	<b>Date:</b>	4 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0032
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officers:</b>	K Ball, Finance Officer – Accounts Payable; B Tan, Manager Financial Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

*That the Council CONFIRMS the;*

- (i) *Schedule of Accounts for the period 1 October – 31 October 2010 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 9.3.2.*

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**DECLARATION OF INTEREST**

<b>Members/Officers</b>	<b>Voucher</b>	<b>Extent of Interest</b>
Nil.		

**PURPOSE OF REPORT:**

To seek authorisation of expenditure for the period 1 October – 31 October 2010.

**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:

<b>FUND</b>	<b>CHEQUE NUMBERS/ PAY PERIOD</b>	<b>AMOUNT</b>
<b>Municipal Account</b>		
Automatic Cheques	068942- 069106	\$216,208.90
Transfer of Creditors by EFT Batch	1131, 1132, 1135-1138, 1141, 1142	\$1,641,616.69
Transfer of PAYG Tax by EFT	October 2010	\$230,338.67
Transfer of GST by EFT	October 2010	
Transfer of Child Support by EFT	October 2010	\$1,822.85
Transfer of Superannuation by EFT:		
• City of Perth	October 2010	\$28,396.45
• Local Government	October 2010	\$104,747.99
<b>Total</b>		<b>\$2,223,131.55</b>
<b>Bank Charges &amp; Other Direct Debits</b>		
Bank Charges – CBA		\$7,289.51
Lease Fees		\$2,024.60
Corporate Master Cards		\$9,002.23
Loan Repayment		\$60,316.91
Rejection Fees		\$20.00
<b>Total Bank Charges &amp; Other Direct Debits</b>		<b>\$78,653.25</b>
<b>Less GST effect on Advance Account</b>		<b>0.00</b>
<b>Total Payments</b>		<b>\$2,301,784.80</b>

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2009-2014 – Key Result Area 4.2 – Governance and Management

*“Adopt best practice to manage the financial resources and assets of the Town.”*

**ADVERTISING/CONSULTATION:**

N/A.

**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.

**9.3.3 Financial Statements as at 31 October 2010**

<b>Ward:</b>	Both	<b>Date:</b>	9 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0026
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officers:</b>	B Tan, Manager Financial Services; B Wong, Accountant		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Financial Statements for the month ended 31 October 2010 as shown in Appendix 9.3.3.*

**COUNCIL DECISION ITEM 9.3.3**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to present the financial statements for the month ended 31 October 2010.

**BACKGROUND:**

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the budget.

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

A financial activity statements report is to be in a form that sets out:

- the annual budget estimates;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the year-to-date income and expenditure and totals and the relevant annual budget provisions for those totals from 1 July to the end of the period; and
- includes such other supporting notes and other information as the local government considers will assist in the interpretation of the report.

A statement of financial activity and any accompanying documents are to be presented to the Council at the next Ordinary Meeting of the Council following the end of the month to which the statement relates, or to the next Ordinary Meeting of Council after that meeting.

In addition to the above, under Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, each financial year a local government is to adopt a percentage of value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

**DETAILS:**

The following documents represent the Statement of Financial Activity for the period ending 31 October 2010:

- Income Statement;
- Summary of Programmes/Activities (pages 1-17);
- Income Statement by Nature or Type Report (page 18);
- Capital Works Schedule (pages 19-25);
- Statement of Financial Position (page 26);
- Statement of Changes in Equity (page 27);
- Reserve Schedule (page 28);
- Debtor Report (page 29);
- Rate Report (page 30);
- Statement of Financial Activity (page 31);
- Net Current Asset Position (page 32);
- Beatty Park Report – Financial Position (page 33);
- Variance Comment Report (pages 34-41); and
- Monthly Financial Positions Graph (pages 42-44).

Comments on the financial performance are set out below:

**Income Statement and Detailed Summary of Programmes/Activities****Net Result**

The net result is Operating Revenue less Operating Expenses plus Capital Revenue and Profit/(Loss) of Disposal of Assets.

YTD Actual	-	\$13.9 million
YTD Budget	-	\$13.6 million
Variance	-	\$0.3 million
Full Year Budget	-	\$10.5 million

**Summary Comments:**

The current favourable variance is due to increase revenue received as outlined below.

**Operating Revenue**

YTD Actual	-	\$27.1 million
YTD Budget	-	\$27.0 million
YTD Variance	-	\$0.1 million
Full Year Budget	-	\$38.4 million

**Summary Comments:**

The total operating revenue is currently on budget.

Major variances are to be found in the following programmes:

Governance – 45% over budget;

Law Order and Public Safety – 60% below budget;

Education and Welfare – 25% below budget;

Community Amenities – 21% over budget;

Economic Services – 20% over budget;

Other Property and Services – 233% over budget

Administration General – 112% over budget.

More details variance comments are included on the page 34 – 41 of this report.

**Operating Expenditure**

YTD Actual	-	\$13.4 million
YTD Budget	-	\$14.0 million
YTD Variance	-	-\$0.6 million
Full Year Budget	-	\$40.3 million

**Summary Comments:**

The operating expenditure is currently on budget.

The major variance for expenditure is located in the following programmes:

Community Amenities – 20% below budget;

Economic Services – 19% over budget;

Other Property and Services – 60% over budget;

Administration General – 68% below budget.

Detailed variance comments are included on the page 34 – 41 of this report.

**Income Statement by Nature and Type Report**

This income statement shows operating revenue and expenditure are classified by nature and type.

**Capital Expenditure Summary**

The Capital Expenditure summary details projects included in the 2010/11 budget and reports the original budget and compares actual expenditure to date against these.

Capital Works shows total expenditure including commitment for year to date at the 31 October 2010 of \$1,812,407 which represents 7% of the revised budget of \$25,980,423.

	<b>Budget</b>	<b>Revised Budget</b>	<b>Actual to Date</b> <b>(Include commitment)</b>	<b>%</b>
Furniture & Equipment	\$214,900	\$214,900	\$118,506	55%
Plant & Equipment	\$2,662,600	\$2,666,100	\$224,763	8%
Land & Building	\$12,125,150	\$12,190,589	\$155,226	1%
Infrastructure	\$10,843,834	\$10,908,834	\$1,313,912	12%
<b>Total</b>	<b>\$25,846,484</b>	<b>\$25,980,423</b>	<b>\$1,812,407</b>	<b>7%</b>

**Statement of Financial Position and Statement of Changes in Equity**

The statement shows the current assets of \$31,357,144 and non current assets of \$142,708,671 for total assets of \$174,065,815.

The current liabilities amount to \$11,205,923 and non current liabilities of \$13,466,083 for the total liabilities of \$24,672,006. The net asset of the Town or Equity is \$149,393,809.

**Restricted Cash Reserves**

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

The balance as at 31 October 2010 is \$9.3m. The balance as at 30 June 2010 was \$9.0m.

**General Debtors**

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 \$486,285 is outstanding at the end of October 2010.

Out of the total debt, \$137,327.01 (28%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking.

The Debtor Report identifies significant balances that are well overdue.

Finance has been following up outstanding items with debt recovery by issuing reminders when it is overdue and formal debt collection if reminders are ignored.

**Rate Debtors**

The notices for rates and charges levied for 2010/11 were issued on the 19 July 2010.

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

First Instalment	23 August 2010
Second Instalment	25 October 2010
Third Instalment	5 January 2011
Fourth Instalment	9 March 2011

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

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$8.00
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 31 October 2010 including deferred rates was \$6,019,653 which represents 28.04% of the outstanding collectable income compared to 26.75% at the same time last year.

**Statement of Financial Activity**

The closing balance carry forward for the year to date 31 October 2010 was \$11,937,036.

**Net Current Asset Position**

The net current asset position as at 31 October 2010 is \$21,233,157.

**Beatty Park – Financial Position Report**

As at 31 October 2010 the operating deficit for the Centre was \$261,369 in comparison to the year to date budgeted deficit of \$448,110.

The cash position showed a current cash deficit of \$114,565 in comparison year to date budget estimate of a cash deficit of \$266,772. The cash position is calculated by adding back depreciation to the operating position.

**Variance Comment Report**

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

**9.4.1 Leederville Masterplan – Progress Report No. 12**

<b>Ward:</b>	South	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	Oxford Centre; P4	<b>File Ref:</b>	PLA0147
<b>Attachments:</b>	-		
<b>Reporting Officers:</b>	E Lebbos, Strategic Planning Officer; Rob Boardman, Director Development Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council NOTES that a report will be submitted to the Council with the recommended Consultants for the Peer Review Workshop and Independent Design Review, by no later than 21 December 2010.*

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to provide a progress update to the Council as at November 2010, on the work undertaken to date regarding engaging Consultants to carry out a Peer Review Workshop and Independent Design Review of the Leederville Town Centre Masterplan and Built Form Guidelines.

**BACKGROUND:**

This matter was considered at the Ordinary Meeting of Council held on 12 October 2010, whereby the Council resolved in part as follows:

*“That the Council;*

- (i) AUTHORISES the Chief Executive Officer to:*
  - (a) call quotations from suitably qualified consultants to carry out an Independent Design Review of the Leederville Masterplan;*
  - (b) submit a report with a recommended Consultant to the Council no later than 23 November 2010;...”*

**DETAILS:**

As outlined in the ‘Background’ section above, the Council resolved on 12 October 2010 for the Town’s Officers to report back to the Council on 23 November 2010 with the preferred Consultant for the Independent Design Review.

This timeframe was not unachievable. However, to progress the matter, a Project Brief has been prepared for the Independent Design Review and an extensive list of Consultants for both the Peer Review Workshop and the Independent Design Review has been collated. Invitations to quote were sent out on 5 November 2010, with the closing date for submissions being 30 November 2010.

In addition, the Town’s Officers have placed an advertisement on the Town’s website and in the *Guardian Express* newspaper, inviting quotations for the Independent Design Review, with the closing date also being 30 November 2010.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Town Planning Scheme No. 1 and Associated Policies.

**STRATEGIC IMPLICATIONS:**

The matter is in keeping with the Town's Strategic Plan 2009-2014 - Plan for the Future, Objective 2.1 - *"Progress economic development with adequate financial resources"*, in particular, Actions:

- "2.1.1 Promote the Town as a place for investment, appropriate to the vision for the Town.  
(d) Promote tourist activity with the Town and review the Town's facilities in terms of attracting regional events and programs.*
- 2.1.2(a) Establish public/private alliances and partnerships to attract external funding and investment to enhance the strategic direction of the Town.*
- 2.1.2(b) Develop partnerships with government agencies.*
- 2.1.2(c) Work with State Government to encourage and promote more Government Office accommodation in the Town.*
- 2.1.3 Promote business development.  
(b) Develop and implement marketing strategy/opportunities to promote the Town (including Commercial centres) as a "Location of Choice".*
- 2.1.7 Implement the Leederville Masterplan."*

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2010/2011 Budget contains an amount of \$100,000 for the Leederville Masterplan – Consultants Fees.

**SUSTAINABILITY IMPLICATIONS:**

It is considered that the Leederville Town Centre Masterplan and Built Form Guidelines will direct future development to occur in a manner that meets the community's changing needs through the provision of a range of housing types and employment choices consistent with transit-oriented design principles and green building design. This is considered to be sustainable future development.

**COMMENTS:**

The Town's Officers will continue to progress and finalise the engagement of Consultants to undertake a Peer Review Workshop and Independent Design Review for the approval of the Council, by no later than 21 December 2010.

**9.4.5 Loftus Centre, 99 Loftus Street, Leederville – Management Committee – Receiving of Minutes**

<b>Ward:</b>	South	<b>Date:</b>	16 November 2010
<b>Precinct:</b>	Oxford Centre	<b>File Ref:</b>	PRO3829
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Unconfirmed Minutes of the Loftus Centre Management Committee Meeting held on 16 November 2010, as shown in Appendix 9.4.5.*

**COUNCIL DECISION ITEM 9.4.5**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the Loftus Centre Management Committee meeting held on the 16 November 2010.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 19 December 2006, Item 10.4.9 the Council approved of a Management Committee for the Loftus Centre, as follows;

**“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."*

**CONSULTATION/ADVERTISING:**

N/A.

**LEGAL/POLICY**

It is the Town's practice that Committee Meeting Minutes be reported to the Council.

**STRATEGIC IMPLICATIONS:**

The Town of Vincent's Plan for the Future, Strategic Plan 2009 – 2014:

*"Key Result Area Four – Leadership, Governance and Management - Objective 4.1: Provide Good Strategic Decision-Making, Governance, Leadership And Professional Management:  
4.1.2 Manage the organisation in a responsible, efficient and accountable manner."*

**SUSTAINABILITY IMPLICATIONS:**

N/A.

**FINANCIAL/BUDGET IMPLICATIONS:**

N/A.

**COMMENTS:**

The reporting of the Town's Committee Minutes to the Council Meeting is in keeping with the *Local Government Act 1995* and its regulations.

**9.4.6 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	17 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	A Radici, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Information Bulletin dated 23 November 2010, as distributed with the Agenda.*

**COUNCIL DECISION ITEM 9.4.6**

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**DETAILS:**

The items included in the Information Bulletin dated 23 November 2010 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Letter of Appreciation from People with Disabilities WA regarding the Town hosting their Annual General Meeting
IB02	Letter from Minister for Water, Dr G Jacobs MLA relating to the restoration of Hyde Park Lakes
IB03	Minutes of the Safer Vincent Crime Prevention Partnership (SVCPP) Meeting held on 6 October 2010
IB04	Minutes of the Parks People Project Working Group Meeting held on 30 September 2010
IB05	Special Forum Notes - 2 November 2010

It was requested that the Notice of Motion 10.2 be brought forward prior to consideration of the Officer Reports.

**PROCEDURAL MOTION**

Moved Cr Harvey, Seconded Cr McGrath

*That Motion 10.2 be brought forward in the Order of Business.*

**PROCEDURAL MOTION PUT AND CARRIED (9-0)**

**10.2 Notice of Motion – Cr Topelberg – Relating to Britannia Reserve and Litis Stadium Masterplan**

*That the Council:*

(i) **NOTES:**

(a) *that the community consultation for the Britannia Reserve and Litis Stadium Masterplan closes on 29 November 2010; and*

(b) *the interdependence of some of the issues relating to Litis Stadium and Britannia Reserve; and*

(ii) **RESOLVES** *that at the conclusion of the community consultation period, any further consultation or progress of the development of either Litis Stadium or Britannia Reserve Masterplans will be treated independently by the Town.*

---

Moved Cr Topelberg, Seconded Cr Farrell

*That the Motion be adopted.*

Debate ensued.

The Council was advised that the Council's Community Consultation Policy does not allow for consultation to be carried out over the Christmas and New Year Festive season. Therefore, it was suggested that the consultation be extended until late January 2011.

Debate ensued.

**AMENDMENT NO 1**

Moved Cr Farrell, Seconded Cr Topelberg

*That clause (i) be amended and a new clause (iii) inserted as follows:*

“(i)(a) *that the current community consultation for the Britannia Reserve and Litis Stadium Masterplan was due to closes- on 29 November 2010; and*

(iii) **EXTENDS** *the closing date for the community consultation to close on 27 January 2011.”*

**AMENDMENT NO 1 PUT AND CARRIED (9-0)**

Debate ensued.

**AMENDMENT NO 2**

**Moved Cr McGrath, Seconded Cr Buckels**

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

*“(iv) **REQUESTS** that this decision be publicly advertised via the Town’s normal notifications.”*

**Debate ensued.**

**AMENDMENT NO 2 PUT AND CARRIED (9-0)**

**Debate ensued.**

**MOTION AS AMENDED PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 10.2**

*That the Council:*

(i) **NOTES:**

(a) *that the current community consultation for the Britannia Reserve and Litis Stadium Masterplan was due to close on 29 November 2010; and*

(b) *the interdependence of some of the issues relating to Litis Stadium and Britannia Reserve;*

(ii) **RESOLVES** *that at the conclusion of the community consultation period, any further consultation or progress of the development of either Litis Stadium or Britannia Reserve Masterplans will be treated independently by the Town;*

(iii) **EXTENDS** *the closing date for the community consultation to close on 27 January 2011; and*

(iv) **REQUESTS** *that this decision be publicly advertised via the Town’s normal notifications.*

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**9.1.1 No. 325 (Lot 251; D/P 29191) Charles Street, North Perth- Proposed Demolition of Existing House and Construction of Four-Storey Mixed Use Development comprising Office, Four (4) Multiple Dwellings and Associated Car Parking**

<b>Ward:</b>	North	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	Charles Centre; P7	<b>File Ref:</b>	PRO3222; 5.2010.204.2
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY the application submitted by Rechichi Architects on behalf of the owner Delica WA Pty Ltd for proposed Demolition of Existing House and Construction of a Four (4) Storey Mixed Use Development comprising Office, Four (4) Multiple Dwellings and Associated Car Park at No. 325 (Lot 251; D/P 29291) Charles Street, Perth, and as shown on amended plans stamp-dated 4 November 2010, subject to the following conditions:*

- (i) **Building**
- (a) *all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, 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 from Charles Street;*
  - (b) *if entry to neighbouring land is required, first obtaining the consent of the owners of Lot 254 Kadina Street, No. 323 and No. 327 Charles Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Lot 254 Kadina Street and No. 323 and No. 327 Charles Street in a good and clean condition;*
  - (c) *doors, windows and adjacent floor areas of the offices fronting Charles Street shall maintain an active and interactive relationship with this street;*
  - (d) *the maximum gross floor area of the office component shall be limited to 206 square metres;*
  - (e) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
  - (f) *the commercial tenancy is approved as office. Any increase in floor space or change of use of the office shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town's Parking and Access Policy 3.7.1; and*

(g) *additional design features using colour and/or relief being incorporated on the visible portions of the northern and southern faces of the building wall facing No. 323 and No. 327 Charles Street to reduce the visual impact of these walls;*

(ii) **Car Parking and Accessways**

(a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*

(b) *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;*

(c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and*

(d) *the car park shall be used only by employees, tenants, and visitors directly associated with the development.*

(iii) **Public Art**

*The owner(s), or the applicant on behalf of the owner(s), shall comply with the Town's Policy No. 3.5.13 relating to Percent for Public Art and the Percent for Public Art Guidelines for Developers, including:*

(a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$12,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,200,000); and*

(b) *in conjunction with the above chosen option;*

(1) *Option 1 –  
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*

*prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR*

(2) *Option 2 –  
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount.*

(iv) **Signage**

*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 to and approved by the Town prior to the erection of the signage;*

(v) **Fencing**

*Any new street/front wall, fence and gate within the Charles Street setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;*

(vi) **Verge Tree**

*No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;*

(vii) *within twenty-eight (28) days of the issue date of this 'Approval to Commence Development', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:*

(a) *pay a cash-in-lieu contribution of \$1,752 for the equivalent value of 0.584 car parking spaces, based on the cost of \$3,000 per bay as set out in the Town's 2010/2011 Budget; OR*

(b) *lodge an appropriate assurance bond/bank guarantee of a value of \$1,752 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*

(1) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*

(2) *to the owner(s)/applicant following receipt by the Town of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or*

(3) *to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.*

*The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on-site and to reflect the new changes in the car parking requirements;*

(viii) ***PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:***

(a) **Construction Management Plan**

*A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:*

1. *public safety, amenity and site security;*
2. *contact details of essential site personnel;*
3. *construction operating hours;*
4. *noise control and vibration management;*
5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*

7. *stormwater and sediment control;*
8. *soil excavation method (if applicable);*
9. *waste management and materials re-use;*
10. *traffic and access management;*
11. *parking arrangements for contractors and subcontractors;*
12. *Consultation Plan with nearby properties; and*
13. *any other matters deemed appropriate by the Town;*

(b) **Landscape and Reticulation Plan**

*A detailed landscape and reticulation plan for the development site shall be submitted to the Town's Parks and Property Services for assessment and approval.*

*For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:*

1. *the location and type of existing and proposed trees and plants;*
2. *all vegetation including lawns;*
3. *areas to be irrigated or reticulated;*
4. *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
5. *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

*The Council encourages landscaping methods and species selection which do not rely on reticulation.*

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

(c) **Section 70 A Notification of the Transfer of Land Act**

*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:*

- (1) *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*
- (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. 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;*

(d) **Schedule of External Finishes**

*A detailed schedule of external finishes (including materials and colour schemes and details);*

(e) Acoustic Report

*An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town for approval. 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 six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;*

(f) Refuse and Recycling Management

*Bin numbers, collection and stores shall meet with the Town's minimum service provision.*

*Revised plans shall be submitted demonstrating a compliant commercial bin store area to the satisfaction of the Town's Technical Services;*

(g) Privacy

*The privacy screen to the terrace (first floor) along the western boundary shall comply with the definition of the Residential Design Codes 2008;*

(h) Footpath Upgrading

*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, and drainage modified at crossover point, to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$2,500 shall be lodged and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing; and*

(i) Vehicular Gate

*Any proposed vehicular gate for the car park visible from Charles Street shall be a minimum 50 percent visually permeable when viewed from Charles Street;*

(j) Main Roads

*Plans are being submitted to and approved by Main Roads; and*

(ix) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) Underground Power

*The power lines adjacent to the subject lots shall be placed underground for the complete length of the Charles Street frontage of the development at the full expense of the developer. The developer is to liaise with Western Power directly to arrange for the work to be carried out, prior to first occupation of the development. The street light in proximity to the crossover shall also be relocated to be a minimum of 1 metre clear of the crossover;*

(b) Residential Car Bays

*The 4 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;*

(c) Clothes Drying Facility

*Each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*

(d) Bicycle Parking

*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 facilities shall be submitted to and approved by the Town prior to the installation of such facilities; and*

(e) Management Plan-Vehicular Entry Gate

*If a vehicular entry gate is provided, a plan detailing management measures for the operation of the vehicular entry gate to Charles Street to ensure access is readily available for visitors to the residential and commercial units at all times, shall be submitted to and approved by the Town.*

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Cr Burns departed the Chamber at 7.05pm.

**COUNCIL DECISION ITEM 9.1.1**

**Moved** Cr Maier, **Seconded** Cr Topelberg

*That the recommendation be adopted.*

Cr Buckels departed the Chamber at 7.06pm.

Debate ensued.

Cr Farrell departed the Chamber at 7.07pm.

Debate ensued.

Crs Burns and Farrell returned to the Chamber at 7.08pm.

Debate ensued.

Cr Buckels returned to the Chamber at 7.09pm.

Debate ensued.

**MOTION PUT AND CARRIED**  
**BY AN ABSOLUTE MAJORITY (7-2)**

**For:** Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr McGrath,  
Cr Topelberg

**Against:** Cr Lake, Cr Maier

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<b>Landowner:</b>	Delica WA Pty Ltd
<b>Applicant:</b>	Rechichi Architects
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Office Building, Multiple Dwelling
<b>Use Classification:</b>	"P", "AA"
<b>Lot Area:</b>	339 square metres
<b>Access to Right of Way</b>	N/A

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination.

**BACKGROUND:**

6 December 2005 The Council at its Ordinary Meeting resolved to conditionally approve an application for demolition of existing single house and construction of a 3-4 storey mixed use development comprising offices and four (4) single bedroom multiple dwellings at the subject property.

18 September 2007 A development proposal was presented at a Council Member Forum.

9 October 2007 The Council at its Ordinary Meeting resolved to defer the application for demolition of existing house and construction of a two-storey mixed use development comprising offices, four (4) single bedroom multiple dwellings and basement car parking as follows:

*"That the item be DEFERRED for further consideration by the Town's officers, and possible intensification of the site."*

10 February 2009 The Council at its Ordinary Meeting resolved to conditionally approve demolition of existing single house and construction of two-storey mixed use development comprising offices, four (4) single bedroom multiple dwellings and basement car parking.

22 September 2009 The Council at its Ordinary Meeting resolved to conditionally approve to take down and remove the existing dwelling.

**DETAILS:**

The proposal involves the demolition of the existing dwelling and construction of a four-storey mixed use development comprising four (4) multiple dwellings and one office and associated basement car parking.

The main changes to plans approved by the Council at its Ordinary Meeting held on 10 February 2009, are as follows:

- The four single bedroom multiple dwellings have been changed into four multiple dwellings; and
- A fourth storey is added to the proposed development which will accommodate an additional bedroom.

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

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Density</b>	R80-2.7 multiple dwellings	R118- 4 multiple dwellings Density bonus= 48 per cent= 163 square metres
<i>Officer Comments:</i>		
Supported- Refer to "Comments" below. It is considered the proposed development will not have any undue impact on the amenity of the surrounding area, and will significantly improve the use and appearance of the overall site and surrounding area.		
<b>Plot Ratio:</b>	1= 337 square metres	1.16= 391 square metres
<i>Officer Comments:</i>		
Supported-Refer to "Comments" below. It is considered the proposed development will not have any undue impact on the amenity of the surrounding area, and will significantly improve the use and appearance of the overall site and surrounding area.		
<b>Front Setbacks:</b>	Compatible with existing development along Charles Street.	Ground and First Floors= Nil  Second Floor= 7 metres
<i>Officer Comments:</i>		
Supported- No impact on the streetscape as the adjoining buildings have nil setbacks from Charles Street.		
<b>Building Setbacks:</b>		
<b>Rear-Western boundary</b>		
<b>Basement/Ground Floor</b>	6 metres	Nil
<b>First Floor</b>	5.2 metres	Nil
<i>Officer Comments:</i>		
Supported- The same variations to the setbacks were supported at the Ordinary Meeting of Council held on 10 February 2009. It is noted that there is an existing lot (Lot 254) of dimension 1.33 metres between the subject site and the rear adjoining western property at Nos. 4-6 Kadina Street. No overshadowing of the residential properties along the western boundary as a result of this proposal.		
<b>Number of Storeys and Height</b>	Two Storeys Height= 7 metres	Four Storey 12.8 metres
<i>Officer Comments:</i>		
Supported- Refer to "Comments" below. It is considered the proposed development will not have any undue impact on the amenity of the surrounding area, and will significantly improve the use and appearance of the overall site and surrounding area.		
<b>Stores</b>	Internal area= 4 square metres  Minimum internal dimension= 1.5 metres	Areas  Unit 1= 1.7 square metres Unit 2= 3 square metres  Units 3 and 4= 2.2 square metres
<i>Officer Comments:</i>		
Supported-Given the site area and the design of the building, it will be difficult for the applicant to comply with the required internal areas. It is considered that the proposed stores will be adequate for the needs of residents and will not be detrimental to the amenity of the locality.		
<b>Car Parking</b>	6.584 car bays	6 car bays
<i>Officer Comments:</i>		
Supported-Refer to "Comments" below. Given the site is located along Charles Street which is accessible by bus transport, the shortfall will not have an undue impact on the amenity of the area.		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

<b>Consultation Submissions</b>		
<b>Item</b>	<b>Comments Received</b>	<b>Officer Comments</b>
Support	Nil	Noted.
Objection (1)	<p>Density and Plot Ratio</p> <p><i>“The area already has a high density of dwellings given the concentration of units and town houses along Kadina Street. Allowing higher density threatens to compromise the character of the neighbourhood. The motivation for the higher density ratio is purely to enhance the profitability of a short term development project by a developer that has no longer term commitment to the development of the area in the interests of the residents in the area.”</i></p> <p>Building Setbacks:</p> <p>The variations to the rear setback will have an undue impact on the adjoining western properties.</p> <p>Car Parking</p> <p>Shortfall of parking will impact on the parking in the surrounding area.</p> <p>Advertising</p> <p><i>“I further note that despite approval of a previous application for a two storey development of the block, I was at no time notified of the development proposal and hence did not have the opportunity to raise my objections to the proposal. Hence I request that the previous approval (February 2009) be reviewed subject to information being provided to the owners of the adjacent properties and the opportunity for issues and objections to be raised.”</i></p>	<p>Not supported- Refer to “Comments” below. Moreover, the application is assessed on planning merit and not on whether the developer has a long term commitment to the development of the area.</p> <p>Not supported- Refer to Assessment Table. Moreover, there will be no impact in terms of overshadowing on the adjoining western property and the existing adjoining building on No. 323 Charles Street which has a nil setback with the adjoining western property.</p> <p>Not supported. Refer to “Comments” below.</p> <p>Not supported- A file search revealed that for the previous application, advertising letters were sent to all the owners and occupants of the adjoining western property as per the Town’s Consultation Policy. It is also confirmed that the letter of advertising was sent to the objector; however, no comments were received for the previous application.</p>
<b>Advertising</b>	Advertising for a period of 21 days was carried out as per the Town’s Policy No. 4.1.5 – relating to Community Consultation.	

### Car Parking

In accordance with the Residential Design Code requirements for mixed-use development, on-site car parking requirements for multiple dwellings may be reduced to one bay per dwelling, where on-site parking required for other users is available outside normal business hours. A total of 6 car bays have been provided for the proposed development. For the residential component, 4 car bays are to be provided. The balance of car bays available for the commercial component in this instance, is 2 car bays.

Car Parking	
Car parking requirement (nearest whole number) Office: 1 car bay per 50 square metres gross office floor area (proposed 206 square metres)= 4.12 car bays= 4 car bays	4 car bays
Apply the parking adjustment factors.	0.646
<ul style="list-style-type: none"> <li>▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area residential)</li> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.95 (within 400 metres of an existing public car park in excess of 25 spaces)</li> </ul>	2.584
Minus the car parking provided on-site	2
Minus the most recently approved shortfall	Nil
Resultant shortfall	0.584

Bicycle Parking		
Bicycle Parking	Offices- 1 space per 200 (proposed 206) square metres (class 1 or 2)= 1 space	4 bicycle spaces provided

Other Implications	
<b>Legal/Policy</b>	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
<b>Strategic</b>	Draft Local Planning Strategy
<b>Sustainability</b>	Nil.
<b>Financial/Budget</b>	Nil.

### COMMENTS:

#### Demolition

A Demolition Licence was issued on 7 August 2009 which expired on 7 August 2010. A site visit has confirmed that the existing building has not been demolished. Therefore, if this application is supported, it is recommended that the condition of Demolition Licence be imposed again.

#### Car Parking

The Town's Policy relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bay to provide and/or upgrade parking in other car parking areas.

Clause 22(ii) of the Town's Parking and Access Policy states that in determining whether this development should be refused on car parking grounds, the following percentage should be used as a guide:

*"If the total requirement (after adjustment factors have been taken into account) is 10 bays or less, cash in lieu may be provided for any shortfall."*

Given that the site is located along Charles Street which is accessible by bus transport, the shortfall will not have an undue impact on the amenity of the area. Therefore, the shortfall is supported subject to the payment of a cash-in-lieu contribution.

### **Planning Control Area No. 88**

The Western Australian Planning Commission (WAPC) have advised that given the subject property is located outside the Planning Control Area (PCA) No. 88 for Charles Street, their determination is not required.

### **Density and Building Height**

Density and building height contribute to the bulk and scale of a development and in this instance, the subject proposal is not considered to have an undue impact on the amenity of the area and is symptomatic of a growing trend to develop underutilised inner-urban properties.

The Draft Local Planning Strategy (LPS) does not propose any changes to the Commercial zoning of No. 325 Charles Street. The Draft Local Planning Strategy does recognise that there is scope however, for greater residential densities commensurate with R100 and greater building heights to facilitate high density residential. The LPS specifically states '*greater building heights in the commercial area will generally only be considered where a significant proportion of the building is for residential purposes*'. In this instance, approximately 52 per cent of the total floor area is allocated for residential purposes. Therefore, the proposed additional height would not be inconsistent with the intent of the LPS.

Accordingly, the proposal demonstrates suitable redevelopment of the site consistent with the Draft Local Planning Strategy.

The proposed development is generally in accordance with the Town's Policy No. 3.4.8 relating to Multiple Dwellings with respect to allowable heights for new multiple dwelling developments along 'Major Roads.' The proposed development has 3 storeys facing Charles Street and the adjoining property to the rear which is zoned Residential/Commercial R80. Within the site, the number of storeys is 4 (5 storeys is allowable).

The fourth storey is setback seven (7) metres from the front boundary and 6.3 metres from the rear boundary, is screened by the roof from the third storey, and has no impact in terms of overshadowing. Moreover, not far from the subject site, at No. 5 Scarborough Beach Road, the Council at its Ordinary Meeting held on 14 April 2009 conditionally approved a five storey development. In addition, there are a few four storey developments in the surrounding area.

In the context of surrounding development close to, and along Charles Street/Scarborough Beach Road, and the support of a four-storey development on the subject site, the proposed density bonus and plot ratio are also recommended for approval. Moreover, the existing building is in a disused state and the proposed development will contribute to a change in the area towards a more friendly residential area and will contribute to the diversity in housing types that is a long-term strategic goal for the Town of Vincent as stated in the Town's Local Planning Strategy.

### **Absolute Majority**

Given the proposed density bonus, as per Clause (40)(3)(b) of the Town's Town Planning Scheme No. 1, the Council is required to approve the application by an absolute majority decision.

In view of the above comments, it is considered that the application is supportable, as the development will contribute to an improvement in the amenity of the site and surrounding area.

**9.1.2 No. 448 (Lots 136, 137, 138; D/P 1197) Lord Street, corner West Parade, Mount Lawley - Proposed construction of Five (5) Storey Mixed Use Development comprising Forty-Four (44) Multiple Dwellings, Three (3) Offices and Basement Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	16 November 2010
<b>Precinct:</b>	Banks; P15	<b>File Ref:</b>	PRO4079; 5.2010.213.2
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY, the application submitted by M Coniglio Architect on behalf of the owner P and A Shakibae for proposed construction of a Five (5) Storey Mixed Use Development comprising Forty - Four (44) Multiple Dwellings, Three (3) Offices and Basement Car Park at No. 448 (Lots 136, 137, 138; D/P 1197) Lord Street, corner West Parade, Mount Lawley, and as shown on amended plans stamp-dated 29 October 2010, subject to the following conditions:*

**(i) Building**

- (a) all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, 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 from Lord Street and West Parade;*
- (b) if entry to neighbouring land is required, first obtaining the consent of the owners of Nos. 434-446 Lord 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. 434-446 Lord Street in a good and clean condition;*
- (c) doors, windows and adjacent floor areas of the offices fronting Lord Street and West Parade shall maintain an active and interactive relationship with these streets;*
- (d) the maximum gross floor area of the office component shall be limited to 380 square metres;*
- (e) the commercial tenancies are approved as offices. Any increase in floor space or change of use of the offices shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town's Parking and Access Policy No. 3.7.1; and*
- (f) additional design features using colour and/or relief being incorporated on the visible portion of the western face of the building wall facing Nos. 434-446 Lord Street, to reduce the visual impact of this wall;*

(ii) **Car Parking and Accessways**

- (a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (b) *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;*
- (c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property; and*
- (d) *the car park shall be used only by employees, tenants, and visitors directly associated with the development.*

(iii) **Public Art**

*The owner(s), or the applicant on behalf of the owner(s), shall comply with the Town's Policy No. 3.5.13 relating to Percent for Public Art and the Percent for Public Art Guidelines for Developers, including:*

- (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$47,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$4,700,000); and*
- (b) *in conjunction with the above chosen option;*
  - (1) *Option 1 –  
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and  
  
prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR*
  - (2) *Option 2 –  
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

(iv) **Signage**

*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 to and approved by the Town prior to the erection of the signage;*

(v) **Fencing**

*Any new street/front wall, fence and gate within the Lord Street and West Parade setback area, including along the side boundaries within these streets setback areas, shall comply with the Town's Policy provisions relating to Street Walls and Fences;*

(vi) **Verge Tree**

*No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;*

(vii) ***PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:***

(a) **Construction Management Plan**

*A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:*

- 1. public safety, amenity and site security;*
- 2. contact details of essential site personnel;*
- 3. construction operating hours;*
- 4. noise control and vibration management;*
- 5. Dilapidation Reports of nearby properties;*
- 6. air and dust management;*
- 7. stormwater and sediment control;*
- 8. soil excavation method (if applicable);*
- 9. waste management and materials re-use;*
- 10. traffic and access management;*
- 11. parking arrangements for contractors and subcontractors;*
- 12. Consultation Plan with nearby properties; and*
- 13. any other matters deemed appropriate by the Town;*

(b) **Section 70 A Notification of the Transfer of Land Act**

*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:*

- (1) 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*
- (2) the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. 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;*

(c) **Schedule of External Finishes**

*A detailed schedule of external finishes (including materials and colour schemes and details);*

(d) **Acoustic Report**

*An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town for approval. 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 six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;*

(e) **Refuse and Recycling Management**

*Bin numbers, collection and stores shall meet with the Town's minimum service provision.*

*Revised plans shall be submitted demonstrating a compliant commercial bin store area to the satisfaction of the Town's Technical Services;*

(f) **Amalgamation and Subdivision**

*Prior to the issue of a Building Licence, the subject Lots 136, 137 and 138 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 and subdivide 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);*

(g) **Footpath Upgrading**

*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, and drainage modified at crossover point, to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$20,000 shall be lodged 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;*

(h) **Bond**

*A right of way security bond and/or bank guarantee for \$1,000 payable by the Builder shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for a standard 2 wheel drive vehicle) as a consequence of the works, the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division. This bond is non-transferable;*

(i) *Vehicular Gate*

*Any proposed vehicular gate for the car park visible from the Right of Way shall be a minimum 50 percent visually permeable when viewed from the Right Way; and*

(j) *Transport Statement*

*A Transport Statement shall be submitted to and approved by the Department of Planning-Urban Transport Systems; and*

(viii) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) *Residential Car Bays*

*The 44 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;*

(b) *Clothes Drying Facility*

*Each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*

(c) *Bicycle Parking*

*Two (2) class one or two bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities;*

(d) *Management Plan-Vehicular Entry Gate*

*In the event a vehicular entry gate is provided, a plan detailing management measures for the operation of the vehicular entry gate to the Right of Way to ensure access is readily available for visitors to the residential and commercial units at all times, shall be submitted to and approved by the Town; and*

(e) *Management Plan- Parking for o\Offices*

*A management plan addressing how a vehicle will enter/exit a tandem parking bay when there is a vehicle already parked at the rear or front parking bay, shall be submitted to and approved by the Town.*

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**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Topelberg, Seconded Cr Buckels**

*That the recommendation be adopted.*

Debate ensued.

**MOTION PUT AND CARRIED**  
**BY AN ABSOLUTE MAJORITY (9-0)**

<b>Landowner:</b>	A & P Shakibae
<b>Applicant:</b>	Matthew Coniglio Architect
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Other Regional Road Town Planning Scheme No. 1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Vacant
<b>Use Class:</b>	Multiple Dwelling
<b>Use Classification:</b>	"AA"
<b>Lot Area:</b>	1633 square metres
<b>Access to Right of Way</b>	South side, 3.6 metres wide, sealed, Town-owned

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination.

**BACKGROUND:**

10 June 2008 The Council at its Ordinary Meeting resolved to conditionally approve the demolition of Existing Workshop and Showrooms and Construction of Four-Storey Office Building Comprising Nine (9) Offices and Associated Car Parking.

13 October 2008 The Town issued a Demolition Licence for the existing warehouse/showroom.

**DETAILS:**

The proposal involves the construction of a five-storey mixed use development comprising forty-four multiple dwellings and three offices, and basement car parking.

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Density:</b>	R60- 9.8 multiple dwellings  (As per Precinct Policy, R60 applies for residential development in the commercial zone)	R270-44 Multiple Dwellings  Density bonus=77.7 per cent= 5676 square metres
<i><b>Officer Comments:</b></i>		
Supported: Refer to "Comments" below. It is a landmark site and the proposal would not result in an undue impact on the amenity of the street or area. The building incorporates appropriate articulation and design features to reduce the visual impact on this area.		
<b>Plot Ratio:</b>	0.7	2.4
<i><b>Officer Comments:</b></i>		
Supported: Refer to "Comments" below. It is a landmark site and the proposal would not result in an undue impact on the amenity of the street or area. The building incorporates appropriate articulation and design features to reduce the visual impact on this area.		
<b>Number of Storeys and Height</b>	3 storeys (plus loft)	5 storeys  Height= 17.885 metres
<i><b>Officer Comments:</b></i>		
Supported: Refer to "Comments" below. It is a landmark site and the proposal would not result in an undue impact on the amenity of the street or area. The building incorporates appropriate articulation and design features to reduce the visual impact on this area.		

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
Interaction with street	Office should have clear glasses facing the primary street (Lord Street)	The office has solid walls facing the primary street (Lord Street).
<b>Officer Comments:</b>		
Supported: Given the shape of the site, the requirements for parking and bin stores and to ensure a functional building, it is difficult for the applicant to provide offices for the full extent of Lord Street. However, to reduce the impact of the solid wall along Lord Street, the applicant is proposing to incorporate the public art on the wall, which is supported.		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

<b>Consultation Submissions</b>		
<b>Item</b>	<b>Comments Received</b>	<b>Officer Comments</b>
Support	Nil	Noted.
Objections (2)	<p>Streetscape</p> <p>The proposed development will be out of character with the existing single and two-storey development in the area and, therefore, there will be an impact on the streetscape.</p> <p>Visual Impact</p> <p>The proposed development will create a feeling of confinement to the adjoining property.</p> <p><i>“The height and scale of the development also makes our single storey development difficult to see from the street as customers approach along Lord/Guildford Road looking for our address and car park.”</i></p> <p>Scale of development</p> <p>Plot ratio and density are excessive.</p> <p>Overshadowing</p> <p>The development will completely overshadow the single storey units on the adjoining property.</p> <p>Car Parking</p> <p>There are not enough car parking spaces provided on-site for such a significant development.</p>	<p>Not Supported: Refer to “Comments” below. No undue impact on the streetscape.</p> <p>Not Supported: Given the subject site and the adjoining property are in the Commercial zone, nil setbacks are permitted. The adjoining property may also develop to 5 storeys. The adjoining property has a visible access from Lord Street and, therefore, the proposed development is unlikely to block views from Lord Street. Moreover, if this application is supported, the applicant will be required to provide design features along the western boundary wall facing the adjoining property.</p> <p>Not Supported: Refer to “Comments” below.</p> <p>Not Supported: There are no overshadowing requirements for commercial properties.</p> <p>Not Supported: The development complies with the car parking requirement as shown in the Car Parking Assessment Table.</p>

	<p><b>Construction</b></p> <p>There will be major access issues to the site during construction and for the future residents due the nature of the current road and median strip.</p> <p><b>Height</b></p> <p>The height of the proposed building will impact on the existing Telco antenna across the road. Moreover, the future residents should be aware of the existence of the antenna across the road.</p>	<p>Not Supported: Prior to the construction of the building, the applicant will be required to submit a Construction Management Plan, which will address access to the site for vehicles. Future residents will be aware of the existing situation before making a decision to buy a unit in the development.</p> <p>Not Supported: There is no requirement for assessing the impact of a future building on a Telco antenna. The onus is on any future residents to be aware of the existing Telco Antenna before buying any unit.</p>
Department of Planning (DoP)	Given Lord Street is an Other Regional Road; the application was referred to DoP for comments. DoP requested a Transport Statement to assess the transport impact of the development on Lord Street.	Supported: If this application is supported; a condition will be imposed requesting the applicant to obtain approval from the DoP before a Building Licence is issued.
<b>Advertising</b>	Advertising for a period of 21 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

**Car Parking**

In accordance with the Residential Design Code requirements for mixed-use development, on-site car parking requirements for multiple dwellings may be reduced to one bay per dwelling, where on-site parking required for other users is available outside normal business hours. A total of 50 car bays have been provided for the proposed development. For the residential component, 44 car bays are to be provided. The balance of car bays available for the commercial component in this instance, is 6 car bays.

<b>Car Parking</b>	
Car parking requirement (nearest whole number) Office: 1 car bay per 50 square metres gross office floor area (proposed 380 square metres)= 7.6 car bays= 8 car bays	8 car bays
Apply the parking adjustment factors. <ul style="list-style-type: none"> <li>▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area residential)</li> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.8 (within 400 metres of a rail station)</li> </ul>	(0.544)  4.352 car bays
Minus the car parking provided on-site	6
Minus the most recently approved on-site car parking shortfall	Nil
<b>Surplus</b>	1.648 car bays
<b>Bicycle Parking</b>	
Bicycle Parking Offices- 1 space per 200 (proposed 380) square metres (class 1 or 2)= 2 spaces	3 bicycle parking bays are shown on the plan.

<b>Other Implications</b>	
<b>Legal/Policy</b>	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
<b>Strategic</b>	Draft Local Planning Strategy
<b>Sustainability</b>	Nil.
<b>Financial/Budget</b>	Nil.

**COMMENTS:**

Lord Street is a particularly diverse environment by virtue of its large traffic volumes, the accommodation of a variety of building types and uses, and its close proximity to public transport and the Central Business District.

The planning application is considered to generally improve the streetscape and surrounding area through the redevelopment of an under-utilised site, which will provide a catalyst for other sites to be developed in the same manner. The proposed development is of a high quality and contemporaneous in nature. The subject site is a corner lot and it is crucial that development on this site exhibits a strong presence and encourages maximum interaction at street level. The proposed development will provide an entry statement to the Town from Guildford Road.

The proposal is also consistent with the Council's approach to consider development of greater scale, height and intensity along Lord Street. The subject site is located along a direct link to the Central Business District, within 900 metres of the *nib* Stadium and within close proximity to public transport routes. It is considered that the area is currently underdeveloped and presents an opportunity for intensification and regeneration.

Accordingly, the proposed five-storey building and associated variations to density and plot ratio is supported. In view of the proposed density bonus, as per Clause (40) (3) (b) of the Town's Town Planning Scheme No. 1, the Council is required to approve the application by an absolute majority decision.

In light of the above, the planning application is recommended for approval subject to standard and appropriate conditions, as it is not considered that the development will result in any unreasonable undue impact on the amenity of the surrounding area.

**9.1.6 No. 7 (Lot 26; D/P 1777) Thompson Street, North Perth - Proposed Solid Door Addition to Existing Carport and Front Fence - Application for Retrospective Approval**

<b>Ward:</b>	South	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	Smith's Lake; P06	<b>File Ref:</b>	PRO2360; 5.2010.478.1
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a> ; <a href="#">003</a> ; <a href="#">004</a>		
<b>Reporting Officer:</b>	D Pirone, Statutory Planning Officer		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by the owner P Matera for proposed Solid Door Addition to Existing Carport and Front Fence - Application for Retrospective Approval, at No. 7 (Lot 26; D/P 1777) Thompson Street, North Perth, and as shown on plans stamp-dated 17 September 2010, 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 clause SADC 8(c)(5) (Setbacks of Garages and Carports) of the Town's Policy No. 3.2.1 relating to Residential Design Elements;*
  - (c) *the non-compliance with clause SADC 13 (Street Walls and Fences) of the Town's Policy No. 3.2.1 relating to Residential Design Elements; and*
  - (d) *the non-compliance with clause 1.4 (Visual Truncation Area) of the Town's Policy No. 2.2.6 relating to Truncations; and*
- (ii) *ADVISES the applicant that within twenty eight (28) days from the issue of the 'Refusal to Commence Development' that the following is to occur:*
- (a) *the existing solid door be removed from the carport to comply with clause SADC 8(c)(5) (Setbacks of Garages and Carports) of the Town's Policy No. 3.2.1 relating to Residential Design Elements;*
  - (b) *the piers of the fence being modified to comply with clause SADC 13 (Street Walls and Fences) of the Town's Policy No. 3.2.1 relating to Residential Design Elements;*
  - (c) *the infill of the fence being modified to comply with clause SADC 13 (Street Walls and Fences) of the Town's Policy No. 3.2.1 relating to Residential Design Elements; and*
  - (d) *the carport piers and fence within the 1.5 metre by 1.5 metre truncation area be modified to comply with clause 1.4 (Visual Truncation Area) of the Town's Policy No. 2.2.6 relating to Truncations.*

**COUNCIL DECISION ITEM 9.1.6**

**Moved Cr Farrell, Seconded Cr Burns**

*That the recommendation be adopted.*

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Farrell, Seconded Cr Topelberg**

*That the item be DEFERRED to allow for further negotiation with the Applicant.*

**PROCEDURAL MOTION PUT AND CARRIED (9-0)**

<b>Landowner:</b>	P Matera
<b>Applicant:</b>	P and Y Matera
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	349 square metres
<b>Access to Right of Way</b>	South side, 3 metres wide, sealed, privately owned

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination as the Town's Officers do not have the delegation to determine retrospective applications.

**BACKGROUND:**

- 7 September 1993      The City of Perth issued a Building Licence for the construction of a carport at the subject property.
- 3 July 2003            The Town under delegated authority from the Council conditionally approved an application for a gazebo addition to existing single house.
- 13 November 2006    The Town under delegated authority from the Council conditionally approved an application for a gazebo and front fence addition to existing single house.
- 12 July 2010          The Town's Development Compliance Officer wrote to the owner advising that the subject roller door and front fence is unauthorised and it is required to be removed or apply for retrospective planning approval within 28 days.
- 19 August 2010        On-site meeting with owners and the Town's Officers.
- 17 September 2010    The subject retrospective planning application was lodged at the Town.

**DETAILS:**

The proposal involves the retrospective approval for a solid door on an existing carport and for a non-compliant front fence.

**Carport**

As indicated in the ‘*Background*’, the City of Perth issued a Building Licence for the construction of the subject carport on 7 September 1993 (Attachment 002). These plans do not illustrate a solid door. Furthermore, the carport piers illustrate a width of 450 millimetres by 450 millimetres to a height of 1 metre, and timber posts with a width of approximately 150 millimetres by 150 millimetres above that. This does not comply with the current truncation requirements, as any solid portions wider than 350 millimetres by 350 millimetres shall be no higher than 650 millimetres.

The Town under delegated authority from the Council issued a Planning Approval for a Gazebo and Front Fence to the existing single house on 13 November 2006 (Attachment 003). The subject plans indicate the carport piers are proposed to be extended to the underside of the roof; however, at a width of 350 millimetres by 350 millimetres, which is compliant with the Town’s Policies.

Nevertheless, the carport has been constructed contrary to the two previous approved plans, as the carport piers are 430 millimetres by 430 millimetres to the underside of the carport roof and neither of the plans illustrate a solid roller door.

**Front Fence**

A solid portion of fence between the carport pier and the fence pier was approved to contain a mail box in the Planning Approval issued on 13 November 2006. The dimensions of this pier are 300 millimetres by 230 millimetres and are setback behind the carport pier. This is compliant with the Town’s Policies.

In regards to the fence infill, a note provided on the plans approved on 13 November 2006 states the following “*selected timber picket infill panels to maximum 1800mm AGL – pickets to be separated to allow visual permeability in accordance with Town of Vincent requirements*”. It is noted that at the time this development application was approved that the requirements were 50 percent visually permeable, and the subject infill is at 20 percent visually permeable.

The applicant's submission (004) is circulated as a Confidential Appendix to this report, as it contains references to other properties in the Town. (It is not appropriate to include these details as public, as it may contravene the Town’s “Privacy Management Policy”).

**COMPLIANCE:**

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<b>Carports:</b>	Solid roller doors are not permitted on carports within the front setback area.	Solid roller door located on carport within the front setback area.
<i>Officer Comments:</i>		
Not Supported – A large majority of dwellings on Thompson Street have low lying, open style fences with open carports. The subject roller door is setback 300 millimetres from the street and creates an undue impact on the streetscape.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
<b>Street Walls and Fences:</b>	<p>Maximum of 50 percent visually permeable above 1.2 metres.</p> <p>The posts and piers are to be a maximum width of 350 millimetres.</p>	<p>20 percent visually permeable above 0.94 metre.</p> <p>The posts attached to the gate are 430 millimetres by 330 millimetres.</p> <p>The post attached to the carport on the western side of the carport is 940 millimetres by 330 millimetres.</p>
<b>Officer Comments:</b>		
<p>Not Supported – A large majority of dwellings on Thompson Street have low lying, open style fences with open carports. The subject infill is 20 percent open and creates an undue impact on the streetscape. Furthermore, the piers are non-compliant with the Town’s Visual Truncation Policy and can be dangerous for pedestrians when vehicles are reserving onto Thompson Street.</p>		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

Consultation Submissions		
Item	Comments Received	Officer Comments
Support (5)	<ul style="list-style-type: none"> <li>• <i>“I have no problem with this whatsoever. The roller door is essentially attractive and not causing any kind of obstruction.”</i></li> <li>• <i>“I think the work done in regards to walls and fences are attractive and not impeding on anyone or anything. Extremely happy for this to be approved.”</i></li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• Noted.</li> </ul>
Objection (1)	No comments provided.	Noted.
<b>Advertising</b>	Advertising for a period of 14 days was carried out as per the Town’s Policy No. 4.1.5 – relating to Community Consultation.	

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

**COMMENTS:**

The Town’s records indicate that at least two approvals have been issued that relate to the carport and front fence. However, both these plans do not illustrate what is actually built on site and, therefore, a disregard to the approvals issued by the City of Perth and Town of Vincent.

Furthermore, the Town’s Technical Services Officers have advised that they do not support the application as no adequate visual truncations have been provided for both motorist and pedestrian movements.

In light of the above, it is recommended that the Council refuse the application for retrospective approval and the appropriate action be taken as indicated in the Officer Recommendation.

**9.2.1 Traffic Management Matter, Purslowe Street Mt Hawthorn, Additional Information**

<b>Ward:</b>	North	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	Mt Hawthorn P1	<b>File Ref:</b>	TES0334/TES0458
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES IN PRINCIPLE the proposed Traffic Safety improvements as shown on attached Plan No 2748-CP-01;*
- (ii) *CONSULTS with the Public Transport Authority regarding the trial of the proposed 'single lane slow point' in Egina Street and with Main Roads WA and residents in the streets surrounding Menzies Park regarding the overall proposal giving them 21 days to provide their comments; and*
- (ii) *NOTES that a further report will be submitted to the Council at the conclusion of the consultation period which will address the possible staging of the works, a trial of the proposed 'single lane slow point' in Egina Street and funding requirements.*

---

**COUNCIL DECISION ITEM 9.2.1**

**Moved Cr Farrell, Seconded Cr Buckels**

*That the recommendation be adopted.*

**Debate ensued.**

**Cr Topelberg departed the Chamber at 7.35pm.**

**Debate ensued.**

**Cr Topelberg returned to the Chamber at 7.37pm.**

**MOTION PUT AND CARRIED (9-0)**

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**ADDITIONAL INFORMATION:**

At its Ordinary meeting held on 10 August the Council considered a report on a traffic management matter affecting Purslowe Street, Mt Hawthorn.

Prior to this on 13 July 2010 the Council considered a notice of motion whereby the Council requested the Chief Executive Officer assess the accident history and analyse traffic data on roads surrounding Menzies Park, Mount Hawthorn and identify and investigate any potential safety improvements and to refer the report to the Town's Local Area Traffic Management Advisory Group to consider and provide advice on the matter, as soon as practicable.

As a result at its Ordinary meeting held on 10 August 2010 the Council decided as follows:

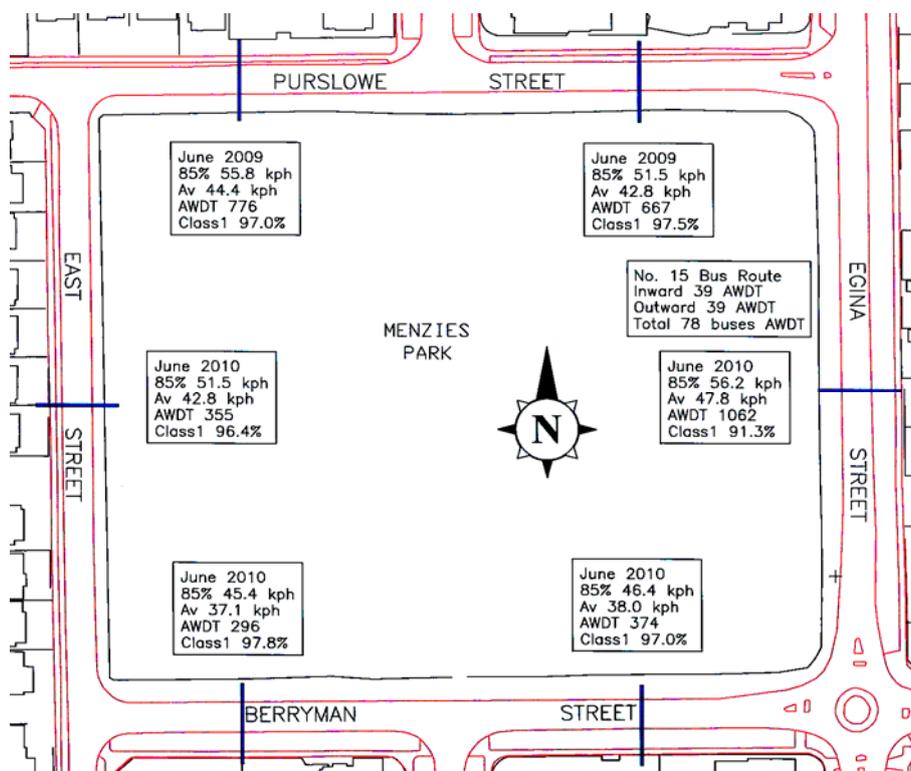
*That the item be DEFERRED for further consideration.*

**Local Area Traffic Management Advisory Group Meeting - 7 October 2010**

At the meeting traffic data for the following streets, surrounding Menzies Park, was presented and discussed:

- Egina Street\* – (Local Distributor)
- Purslowe Street – (Access Road)
- East Street – (Access Road)
- Berryman Street – (Access Road)

The following data outlining traffic volumes, speeds and percentage commercial vehicles was presented to the group.



Note:\* Egina Street from Scarborough Beach Road to Berryman Street being part of Perth Bicycle Network Route NE2 is a bus route and carries 78 buses per average weekday (Route No. 15).

Previous proposal for Purslowe Street:

Drawing No 2678-CP-01 (refer attached) previously approved in principle by the Council on 17 November 2009 outlined a ‘raised plateau’ at the intersection of Purslowe and Federation Street. This proposal was referred to Main Roads WA and they did not support the proposal as they considered the proposal could create conflicts for vehicles reversing into the intersection (Purslowe/Federation) and vehicles exiting the parking bays immediately west of the pedestrian crossing facility create a risk of reversing into pedestrians utilising the crossing.

The LATM Advisory Group considered that less conventional methods should be explored and that a more holistic approach to traffic management be looked at.

It was agreed that concepts be prepared for the next meeting of the group based on standard Traffic Management devices/methods and one ‘thinking outside the box’.

### **Local Area Traffic Management Advisory Group Meeting - 21 October 2010**

The group met again to consider alternative concept proposals as suggested at its 7 October meeting and after much discussion the concept proposal as outlined on Plan No 2748-CP-01 was agreed upon. This proposal includes the following:\*\*

- Three raised plateaus on Purslowe at East Street, Federation Street and Egina Street.
- Change the angle parking on the south side of Purslowe Street (adjacent to Menzies Park) from 30 degree angle parking to 90 degree angle parking. This will actually increase the number of parking bays and address the issues raised by MRWA.
- Trial a single lane slow point on Egina Street midway between Purslowe Street and Berryman Street; and
- Paint (in a red colour) two 4.0m wide bands on East Street (just north of Berryman Street) and Berryman Street (just east of East Street) to provide a point of difference in the road environment i.e. as motorists drive the park.

Note\*\* The measures recommended as part of the proposal were developed based on the recorded traffic data i.e. both Purslowe and Egina Street have an 85% speed greater than 50kph whereas both East Street and Berryman Street have an 85% speed less than 50kph.

#### **Officer Comments/Discussion/Recommendations:**

The 2010/2011 budget has an amount of \$20,000 for Purslowe Street Traffic Management. This budget allocation would only fund the installation of the raised plateau at the intersection of Purslowe and Federation Street including kerbing and re – line marking of angled parking bays.

The estimated cost of undertaking the additional works (as proposed), as shown on Plan No 2748-CP-01 is estimated to cost in the order of \$40,000.00 and if approved funds would need to be included in the draft 2011/2012 budget.

It is recommended that the residents adjoining Menzies Park be consulted regarding the proposal and that the Public Transport Authority and MRWA be consulted regarding trialling a single lane slow point in Egina Street.

#### **Previous Report:**

The following is a verbatim copy of the previous report presented to the Council at its Ordinary Meeting held on 10 August 2010.

#### *OFFICER RECOMMENDATION:*

*That the Council;*

- CONSIDERS the submissions received from the respondents to the Purslowe Street Traffic Management Matter community consultation as outlined in the report;*
- APPROVES the implementation of the proposal for the intersection of Purslowe and Federation Streets as shown on attached plan No. 2678-CP-01; and*
- ADVISES the respondents of its decision.*

COUNCIL DECISION ITEM 9.2.4

Moved Cr Farrell, Seconded Cr Maier

*That the recommendation be adopted.*

**PROCEDURAL MOTION**

Moved Cr Maier, Seconded Cr Farrell

*That the item be DEFERRED for further consideration.*

PROCEDURAL MOTION PUT AND CARRIED (7-0)

*(Cr Burns had departed the Meeting and Cr McGrath was on approved leave of absence.)*

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**PURPOSE OF REPORT:**

*The purpose of this report is to advise Council of the outcome of community consultation regarding the proposed traffic management improvement works at the intersection of Purslowe and Federation Streets and to seek Council's approval to implement the proposal.*

**BACKGROUND:**

*Purslowe Street was discussed at the LATM Advisory Group meeting held on 13 August 2009 and a report on the matter was presented to the Ordinary Meeting of Council held on 17 November 2009, where the following decision was made.*

*“That the Council;*

- (i) RECEIVES the further report on Traffic Management Matters referred to the Town's Local Area Traffic Management Advisory Group;*
- (ii) APPROVES IN PRINCIPLE the proposal for Purslowe Street as outlined on attached plan No. 2678-CP-01;*
- (iii) CONSULTS with affected residents in Purslowe/Federation Streets regarding the proposal; and*
- (iv) RECEIVES a further report on the comments received.”*

**DETAILS:**

*Purslowe and Federation Streets are classified as Access Roads in accordance with the Metropolitan Functional Road Hierarchy. Under this classification, their maximum desirable traffic volume is 3,000 vehicles per day with a recommended operating speed of 50 kph. Further, Purslowe Street connects Egina Street, a Local Distributor Road, to Brady Street, a District Distributor A Road.*

*LATM Advisory Group meeting 13 August 2009:*

*As previously reported to the Council, complaints were received regarding traffic volumes and speeds in Purslowe Street, particularly in the vicinity of Menzies Park, between Egina and East Streets. Given the popularity of Menzies Park, which is used for both active and passive recreation, the main concern was the mix of children, parking and speeding traffic.*

*Discussion initially revolved around the need to deter rat runners and reduce vehicle speeds. However, the community representative present at the meeting specifically raised concerns about the safe movement of vehicles and pedestrians in the vicinity of the Menzies Park hall, playground and on-road parking area.*

*With the tabled traffic statistics in mind, various options were suggested and discussed, with some discounted and some further developed (through discussion).*

*The Group concluded that the standard low profile 'red' asphalt speed humps were not appropriate in this instance and that a 'raised plateau' at the intersection of Purslowe and Federation Streets would be a more effective deterrent by providing a vertical displacement, together with a visual change at this location.*



*A similar treatment in Chelmsford Road, Mt Lawley, corner Hutt Street.*

*In addition, Main Roads will be requested to install symbolic advisory signs, as per the following photo, either end of the park, depicting children crossing the road ahead.*



*Community Consultation:*

*In accordance with the Council's decision on 17 November 2009, 21 letters were distributed to the residents of Purslowe Street, between East and Egina Streets and Federation Street, between Purslowe and Tasman Streets, being those most directly affected by the proposal. The consultation also extended to include the Menzies Park main user groups. At the close of consultation on 2 July 2010 some six (6) responses had been received, representing a 28.5% response rate.*

*Of the six (6) responses received, five (5) were in favour, albeit most saw the proposal as a 'first stage' and suggested that additional traffic calming measures should be considered in the future. The one (1) against thought the proposal ineffectual unless the same treatment was extended to all the intersections along Purslowe Street.*

*Officer's Comments:*

*As previously reported to Council, traffic data collected in Purslowe Street in June 2009, in response to the original complaints, indicated that the average weekday traffic was 776 vehicles per day, and a significant portion could be attributed to residents and park users. However, of greater concern was the 85% speed of 55.8 kph.*

*As a majority of the respondents are in favour of the proposal, and given that the proposed works are relatively minor in nature, it is recommended that the project should proceed as shown on attached drawing No. 2678-CP-01.*

**CONSULTATION/ADVERTISING:**

*The respondents will be advised of the Council's decision*

**LEGAL/POLICY:**

*N/A*

**STRATEGIC IMPLICATIONS:**

*In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 “(d) Implement Local Area Traffic Management matters referred to the Local Area Traffic Management Advisory Group by Council”.*

**SUSTAINABILITY IMPLICATIONS:**

*The Council adopted a long term program to ensure its road infrastructure is maintained to an acceptable level of service. Funds are allocated annually to ensure this program is sustainable.*

**FINANCIAL/BUDGET IMPLICATIONS:**

*The 2010/2011 budget includes \$20,000 for traffic management measures in Purslowe Street.*

**COMMENTS:**

*The Town receives many requests for traffic management and/or calming measures. Most are dealt with at officer level as the vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. However, in this instance the traffic data indicates that there is a speed issue in Purslowe Street in the vicinity of Menzies Park.*

*It is therefore considered that the proposed raised plateau will not only force drivers to slow down but also reinforce the dual residential and recreational nature of the street.*

**9.2.3 Mount Hawthorn Community Centre Refurbishment – Proposed Staged Refurbishment**

<b>Ward:</b>	North Ward	<b>Date:</b>	16 November 2010
<b>Precinct:</b>	Mount Hawthorn (P1)	<b>File Ref:</b>	PRO0003
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a>		
<b>Reporting Officer:</b>	K Bilyk, Property Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES the proposal for the ‘staged’ improvements/Refurbishment of the Mount Hawthorn Community Centre as outlined in the report as shown on attached Plan No. A21-0P4 and Appendix 9.2.3A as follows;*
- (a) *Stage One (1) 2010 – 2011 financial year -New External Masonry Lift;*
  - (b) *Stage Two (2) 2011 – 2012 financial year - Upgrade and additions to the existing first floor toilets including the provision of a new unisex accessible toilet and associated works, general works which include provision of window treatments to first floor, access and shade improvements to the Mount Hawthorn Playgroup area, and the upgrade to balustrades and handrails (to meet current Building Code of Australia requirements); and*
- (ii) *AUTHORISES the Chief Executive Officer to:*
- (a) *instruct the project Architect to prepare construction/working drawings and detailed specifications for the project;*
  - (b) *call tenders for a ‘staged’ refurbishment of the Mount Hawthorn Community Centre;*
  - (c) *determine the Scope of Works for Stage One (1) and Stage Two (2) depending upon the tender costs received; and*
  - (d) *investigate options for additional project funding for the consideration of the Council once the tender prices have been received and assessed.*

---

**Moved Cr McGrath, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

AMENDMENT

**Moved Cr McGrath, Seconded Cr Farrell**

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

*“(ii)(a) instruct the project Architect to prepare construction/working drawings and detailed specifications for the project and incorporate sustainable building elements, where practicable, to reduce energy use for heating and cooling, encourage natural air flow, and reduce water use;”*

Debate ensued.

**AMENDMENT PUT AND CARRIED (9-0)**

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 9.2.3**

*That the Council;*

- (i) *APPROVES the proposal for the 'staged' improvements/Refurbishment of the Mount Hawthorn Community Centre as outlined in the report as shown on attached Plan No. A21-0P4 and Appendix 9.2.3A as follows;*
  - (a) *Stage One (1) 2010 – 2011 financial year -New External Masonry Lift;*
  - (b) *Stage Two (2) 2011 – 2012 financial year - Upgrade and additions to the existing first floor toilets including the provision of a new unisex accessible toilet and associated works, general works which include provision of window treatments to first floor, access and shade improvements to the Mount Hawthorn Playgroup area, and the upgrade to balustrades and handrails (to meet current Building Code of Australia requirements); and*
- (ii) *AUTHORISES the Chief Executive Officer to:*
  - (a) *instruct the project Architect to prepare construction/working drawings and detailed specifications for the project and incorporate sustainable building elements, where practicable, to reduce energy use for heating and cooling, encourage natural air flow, and reduce water use;*
  - (b) *call tenders for a 'staged' refurbishment of the Mount Hawthorn Community Centre;*
  - (c) *determine the Scope of Works for Stage One (1) and Stage Two (2) depending upon the tender costs received; and*
  - (d) *investigate options for additional project funding for the consideration of the Council once the tender prices have been received and assessed.*

---

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval for the staged refurbishment of the Mount Hawthorn Community Centre as shown on the attached plans.

**BACKGROUND:**

In early 2008 the Town's Administration carried out an inspection of the Mount Hawthorn Community Centre and compiled a report of the refurbishment and upgrade works required to be undertaken.

The Council, at its Ordinary Meeting held on 08 April 2008, considered a report on the Community Centre where the following decision was made (in part):

*“That the Council;*

*“...(xvi) LISTS for consideration in the 2008/09 Draft Budget an amount of \$700,000 for the refurbishment and upgrade (two stages) of the Mount Hawthorn Community Centre for the following purposes;”*

**DETAILS:**

The following table details the improvements considered necessary:

PROJECT/ITEM	SHORT-TERM/ HIGH PRIORITY (Stage 1)	MEDIUM-TERM/ MEDIUM PRIORITY (Stage 2)	INDICATIVE COST
Elevator	√		*
Building repairs/renovations	√		*
Universally Accessible toilet Main Hall	√		*
Universally Accessible toilet Lesser Hall	√		*
Air conditioning Main Hall	√		*
Painting		√	*
Air conditioning Lesser Hall		√	*
Floor coverings/timber floor treatment		√	*
Electrical upgrade		√	*
Plumbing upgrade	√		*
Roof plumbing repairs	√		*
Emergency signage/lighting	√		*
Glazing/tinting/awnings	√		*
Window treatments/curtains		√	*
Security System	√		*
Architects/consultants fees	√		*
Contingency	√	√	*
<b>Total Estimated cost.</b>			*

Since the preparation of the above table, correspondence from user groups hiring the Main Hall have indicated that due to their being only stairway access to the Main Hall, many groups have had to either seek alternative venues or limit who was able to attend events held at the venue.

\* As the Town will be calling a tender, a copy of the itemised costs is shown in the Confidential Appendix 9.2.3C separately circulated to the Council Members.

**2010/2011 Budget:**

An amount of \$250,000.00 has been allocated in the 2010/2011 budget for improvement to the Mount Hawthorn Community Centre.

The following works which will ensure universal access throughout the premises and provide the necessary amenities to the first floor area are proposed to be undertaken in three stages:

### **External Masonry Lift (Stage 1)**

Two (2) different locations were investigated regarding the location of the proposed lift (one internally and one externally) and following an assessment and consultation with the Play Group the preferred location was the external location (*as shown on attached plan No. A21-0P4*).

This location for the lift will ensure that access to the play area is not affected and access to and egress from the lift from the first floor landing functional while fully maintaining the exiting stairwell access.

The works associated with the installation of the external lift will require a number of modifications to the existing structure including the removal of existing glazing, masonry walling and part of the roof on the northeast face of the building.

In addition the existing pergola to the play area including the existing paving will need to be removed to enable a section of concrete ground slab to be installed.

New internal glazing's adjacent to existing play area will also be required including excavating the lift pit, trimming existing footings, soil stabilisation below existing footings, constructing a reinforced concrete lift base including cladding and a concrete shaft roof including metal decking and associated new roof plumbing.

The proposed lift and the associated modifications to the play area are shown on attached Plan No. A21-0P4 and the artist's impression at Appendix 9.2.3B.

### **First Floor toilet Upgrade (Stage 2)**

The works associated with the first floor toilet upgrade will comprise the removal of existing walls, partitions, fixtures; the construction of new walling, doors, toilet partitions and various other modifications and additions.

As can be seen on the attached plan No A21-0P4 (1st Floor plan) the proposed toilet upgrade will need to slightly encroach into the existing concourse area.

The proposed toilet upgrade, once completed will result in the centre complying with BCA requirements.

### General Works:

The centre improvements include a number of the following improvements, some of which may need to be undertaken as part of either stage 1 and/or stage 2 depending on tender prices submitted and funding availability.

- Installation of new timber handrail and new balustrade with timber handrail.
- Replacement of existing vinyl/carpet to foyer with ceramic tiling and removal of glazed door and sidelights to foyer.
- Replacement of carpet to first floor foyer and provide carpet to stairs.
- Redecorate walls and ceilings to ground and first floor foyers.
- Install external sun louvers to first floor foyer windows.
- Remove handrails, paving, etc at Play Area.
- Render existing retaining wall.
- Install new canopy to Play Area 1 entrance and construct a new ramp.

**Indicative Timeline**

<b>Item</b>	<b>Dates</b>
Council approval of plans	23 November 2010
Prepare Construction drawings/tender	November/December 2010
Advertise Tender	Late January 2011
Close Tender	Late February 2011
Award Tender	March 2011
Stage 1 Works	April – July 2011
Stage 2 Works	July – September 2011

It should be noted that due to the complexity of the work and the need to allow the various users to continue to operate, it will be necessary to be flexible in determining the timing of the “general works”. Timing will also have potential cost savings to the Town.

Completing the works as one project, spread over two financial years will also be more cost effective for the Town.

**CONSULTATION/ADVERTISING:**

The Mount Hawthorn Playgroup has been consulted with regards to the location of the proposed lift and refurbishment of the existing pergola outdoor area and are fully in favour of what is being proposed.

**LEGAL/POLICY:**

Tenders will be advertised in accordance with the Local Government Act 1995.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2010-2015– 1.1.5 *Enhance and maintain parks, landscaping and community facilities (a) Ensure all Towns services, playgrounds and facilities are universally accessible where practicable.*

**SUSTAINABILITY IMPLICATIONS:**

Due to the considerable window area to the first floor foyer and ground floor playgroup area consideration has been made to reduce the amount of heating to these areas in summer by means of providing external sun louver’s to the first floor foyer and ground floor exposed window areas.

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$250,000 has been included on the 2010/2011 Annual Budget for the proposed refurbishment. This will be sufficient for Stage 1 works. Further funding will need to be sought for the completion of works.

It is recommended that the Council approve of the works as one project, but spread over two financial years. This will be more cost effective for the Town and will ensure that the building is refurbished more quickly.

The Confidential Indicative Costs reveal that additional funds are required. It is recommended that the Chief Executive Officer identify the finding options available to the Town. This will be reported to the Council, once the exact tender costs are known.

(Options include: a reallocation of funds, use the Reserve Funds, include funds in the Budget 2011-2012.)

**COMMENTS:**

Consideration was made in regards to a glazed external lift, however due to additional estimated costs for constructing this type of lift and the additional requirements for cooling and heating it was considered more cost effective to proceed with the masonry lift proposal.

The current layout of the Main Hall at the Mount Hawthorn Community Centre has no provision for universal accessibility and the proposed works will address the problem.

As a result it is the Officers recommendation to progress with the proposed Mount Hawthorn Community Centre Refurbishment – Lift and Accessibility Improvements as outlined in the report.

Cr Harvey departed the Chamber at 7.47pm.

The Chief Executive Officer advised that Mayor Catania and Cr Burns had declared a financial interest in Item 9.3.1. They departed the Chamber at 7.47pm. They did not speak or vote on this matter.

Deputy Mayor, Cr Sally Lake assumed the Chair at 7.47pm.

### 9.3.1 Investment Report as at 31 October 2010

<b>Ward:</b>	Both	<b>Date:</b>	17 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0033
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officers:</b>	B Tan, Manager Financial Services; N Makwana, Accounting Officer		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

#### Disclosure of Financial Interest:

Mayor Nick Catania and Cr Anka Burns have disclosed a financial interest in this item.

#### **OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Investment Report for the month ended 31 October 2010 as detailed in Appendix 9.3.1.*

#### **COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Topelberg, Seconded Cr Maier**

*That the recommendation be adopted.*

#### **MOTION PUT AND CARRIED (6-0)**

(Mayor Catania, Cr Burns and Cr Harvey were absent from the Chamber and did not vote on this matter.)

Mayor Catania and Cr Burns returned to the Chamber at 7.48pm. Mayor Catania, assumed the Chair. The Chief Executive Officer advised that the item was carried.

#### **PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the level of investment funds available, the distribution of surplus funds in the short term money market and the interest earned to date.

#### **BACKGROUND:**

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms. Details are attached in Appendix 9.3.1.

Council's Investment Portfolio is spread across several Financial Institutions in accordance with Policy Number 1.2.4.

**DETAILS:**

Total Investments for the period ended 31 October 2010 were \$20,084,829 compared with \$20,084,829 at 30 September 2010. At 31 October 2009, \$21,273,889 was invested.

Investment comparison table:

	<b>2009-2010</b>	<b>2010-2011</b>
July	\$12,782,999	\$11,109,646
August	\$21,773,889	\$22,184,829
September	\$21,773,889	\$20,084,829
October	\$21,273,889	\$20,084,829

Total accrued interest earned on Investments as at 31 October 2010:

	<b>Annual Budget</b>	<b>Budget Year to Date</b>	<b>Actual Year to Date</b>	<b>%</b>
Municipal	\$454,000	\$186,140	\$154,793	34.10
Reserve	\$403,000	\$134,332	\$165,801	41.14

**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 funds invested have reduced from previous period due to instalment payment to ESL and payments to creditors.

The report comprises of:

- Investment Report;
- Investment Fund Summary;
- Investment Earnings Performance;
- Percentage of Funds Invested; and
- Graphs.

**9.4.2 Draft Policy No. 3.9.16 – Resident Parking – Verge Information Signage – Further Report**

Ward:	Both	Date:	11 November 2010
Precinct:	All	File Ref:	PKG0107
Attachments:	<a href="#">001</a>		
Reporting Officer:	J MacLean, Manager Ranger and Community Safety Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report concerning the legal advice relating to the draft Council Policy 3.9.16 Resident Parking – Verge Information Signage;*
- (ii) *APPROVES the implementation of Option 2, contained in the legal advice, as being the most appropriate option to meet community needs; and*
- (ii) *ADOPTS the amended Policy No. 3.9.16 - Resident Parking – Verge Information Signage, as shown in Appendix 9.4.2.*

**Moved Cr Maier, Seconded Cr Buckels**

*That the recommendation, together with the following changes, be adopted:*

*“That Clause (iii) be amended to read as follows:*

- (iii) *ADOPTS the amended Policy No. 3.9.16 - Resident Parking – Verge Information Signage, as shown in Appendix 9.4.2: subject to the Policy being further amended as follows:*

- (a) *Clause 1(a) be amended and (1)(b) be deleted as follows:*

*“(a) The Town of Vincent Local Law relating to Parking and Parking Facilities 2007 Clause 4.11 (1) and (2) specify that:*

*“(1) A person shall not –*

- (a) *park a vehicle;*
- (b) *park a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or*
- (c) *park a vehicle during any period when the parking of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,*

*so that any portion of it is on a verge.*

*(2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to park the vehicle so that any portion of it is on the verge.”.*

*~~(b) Notwithstanding Clause 1(a) above, in accordance with Clause 4.11(2), the resident/occupier of the adjacent property and any person authorised by that resident/occupier, may park on the verge, to which a sign, as referred to in Clause 2 and the Local Law.”~~*

- (b) *Clause 2(g) be amended to read as follows:*

*“The Resident Parking – Verge Information sign shall:*

- A. *be not less than 300mm x 200mm size;*  
B. *use lettering of Times New Roman or Arial, black font and on a white background, ~~with the Town’s Logo at the top;~~ and*  
C. *be worded as follows:*

*“No Unauthorised Parking on Verge by Order of Resident”;*

- (c) *Clause 3(c) be inserted to read as follows with the remaining clauses renumbered accordingly:*

*“Residents may register a Password or Personal Identification Number (PIN) with the Town's Ranger and Community Safety Services Section, even if they do not have an approved sign installed. The registration of a password or PIN will enable residents to report unauthorised parking of vehicles on their verge, without the need to point out the offending vehicles, when the Town's Rangers investigate the matter.”*

- (d) *Clause 3(d) be reinstated to read as follows:*

*“(d) The Town’s Rangers will only act on a complaint to investigate unauthorised parking on the relevant resident’s verge.”;*

- (e) *a new Clause 3(e) to be inserted to read as follows:*

*“(e) A resident may park on their verge or authorise anybody else to park on their verge”;*

Debate ensued.

Cr Harvey returned to the Chamber at 7.50pm.

Debate ensued.

#### AMENDMENT NO 1

Moved Cr Topelberg, Seconded Cr Lake

*That clause (iii)(a)(B) be amended to read as follows:*

*“(iii)(a)(B) use lettering of Times New Roman or Arial, black font and on a white background or an appropriate colour as agreed by the Town and the owners, ~~with the Town’s Logo at the top;~~ and”*

Debate ensued.

#### AMENDMENT NO 1 PUT AND LOST (2-7)

For: Mayor Catania, Cr Topelberg

Against: Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Lake, Cr McGrath, Cr Maier

Debate ensued.

**AMENDMENT NO 2**

**Moved Cr Burns, Seconded Cr Topelberg**

*That clause (iii)(a)(B) be amended to read as follows:*

*“(iii)(a)(B) use lettering of Times New Roman or Arial, white font and on a dark green background ~~black font and on a white background with the Town’s Logo at the top; and~~”*

**Debate ensued.**

**AMENDMENT NO 2 PUT AND CARRIED (9-0)**

**MOTION AS AMENDED PUT AND CARRIED (9-0)**

**ADDITIONAL INFORMATION:**

The Town’s Officers do not have any objection with the changes outlined.

**COUNCIL DECISION ITEM 9.4.2**

*That the Council;*

- (i) *RECEIVES the report concerning the legal advice relating to the draft Council Policy 3.9.16 Resident Parking – Verge Information Signage;*
- (ii) *APPROVES the implementation of Option 2, contained in the legal advice, as being the most appropriate option to meet community needs; and*
- (iii) *ADOPTS the amended Policy No. 3.9.16 - Resident Parking – Verge Information Signage, as shown in Appendix 9.4.2, subject to the Policy being further amended as follows:*

- (a) *Clause 2(g) be amended to read as follows:*

*“The Resident Parking – Verge Information sign shall:*

- A. *be not less than 300mm x 200mm size;*
- B. *use lettering of Times New Roman or Arial, use lettering of Times New Roman or Arial, white font and on a dark green background ~~black font and on a white background with the Town’s Logo at the top; and; and~~*
- C. *be worded as follows:*

*“No Unauthorised Parking on Verge by Order of Resident”;*

- (b) *Clause 3(d) be reinstated to read as follows:*

*“(d) The Town’s Rangers will only act on a complaint to investigate unauthorised parking on the relevant resident’s verge.”;*

- (c) *a new Clause 3(e) to be inserted to read as follows:*

*“(e) A resident may park on their verge or authorise anybody else to park on their verge”;*

(d) *Clause 1(a) and (b) be deleted and new Clause 1(a) be inserted as follows:*

“(a) *The Town of Vincent Local Law relating to Parking and Parking Facilities 2007 Clause 4.11 (1) and (2) specify that:*

“(1) *A person shall not –*

(a) *park a vehicle;*

(b) *park a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or*

(c) *park a vehicle during any period when the parking of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,*

*so that any portion of it is on a verge.*

(2) *Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to park the vehicle so that any portion of it is on the verge.”.*

(e) *Clause 3(c) be inserted to read as follows with the remaining clauses renumbered accordingly:*

“*Residents may register a Password or Personal Identification Number (PIN) with the Town's Ranger and Community Safety Services Section, even if they do not have an approved sign installed. The registration of a password or PIN will enable residents to report unauthorised parking of vehicles on their verge, without the need to point out the offending vehicles, when the Town's Rangers investigate the matter.*”

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#### **PURPOSE OF REPORT:**

The purpose of the report is to report on the legal advice relating to proposed “Policy No. 3.9.16 – Resident Parking – Verge Information Signage” and adopt an amended Policy.

#### **BACKGROUND:**

At the Ordinary Meeting of Council, held on 28 September 2010, the Council considered Item 9.4.2, which related to the introduction of information signage, which could be erected on a verge, to bring to the attention of drivers that parking on the verge is not permitted. Proposed signage was included in the new Policy, which included the Town of Vincent logo and the words "Resident Only Parking on Verge".

The matter was discussed by the Elected Members and they resolved to seek legal advice on the provisions of the Policy as follows:

“*COUNCIL DECISION ITEM 9.4.2*

*Moved Cr Lake, Seconded Cr Buckels*

*That the recommendation be adopted.*

*Debate ensued.*

*PROCEDURAL MOTION*

*Moved Cr Lake, Seconded Cr McGrath*

*That the item be DEFERRED for further information and clarification.*

*PROCEDURAL MOTION PUT AND CARRIED (9-0)*

**DETAILS:**

At the Ordinary Meeting of Council held on 13 July 2010, a report was presented to the Council relating to the introduction of a Verge Parking Scheme and the adoption of the associated Policy. When the Policy was advertised for public comment, the Town received a total of two (2) responses from residents, both of which were positive and supportive.

However, when the matter was reported back to the Council, on 26 September 2010, the Council resolved to seek clarification about the validity of the proposal and the Draft Policy.

The advice suggests that the Town of Vincent has three (3) options, for the implementation of a Restricted Verge Parking process. Options 1 and 2 are unlikely to result in a high cost, but Option 3 would require the expenditure of a substantial amount. The three (3) Options are:

**Options**

The legal advice obtained from Kott Gunning solicitors states:

*“We have identified the following options for the Council to consider.*

*Option 1*

*The first option is to stay with the existing Town of Vincent, Parking and Parking Facilities Local Law 2007 and the current methods of enforcement. This will mean that:*

- *all verge parks will be the subject of potential issuing of infringement notices;*
- *no new signs will be erected;*
- *residents will still have to point out the cars which are illegally parked.*

*This option has the advantages of:*

- *using a system which is known and understood by residents and officer alike;*
- *being a system which is already in place and therefore there is no “switch over time”.*

*As a variation of this option, the Town could choose to have an awareness campaign if it was concerned over the amount of unauthorised verge parking.*

*Option 2*

*The second option is for the Town of Vincent to encourage any residents that wish to have a sign on their verge to place their own sign there. A sign saying “No Parking on Verge by Order of the Resident” would not be a Town of Vincent sign and therefore the problems associated with prosecuting a person parking on a verge without a sign do not exist.*

*In this opinion the resident would be required under Section 3.12(s) of Town of Vincent, Local Government Property Law 2007 to obtain a permit for the sign. It is recommended that the signs be available for sale from the Town of Vincent but it is most important that the signs have no Town of Vincent logos etc on the signs but instead state “No Parking on verge by Order of the Resident”.*

*Further in this option the Town of Vincent could establish the ability for a resident to register a personal Identification Number (PIN), or password, with the Town of Vincent. This would mean that when they rang the Town to report a vehicle, they could use their PIN or password to prove their identity and therefore not be required to be present to point out the vehicle to the Ranger (or other Council Officer who attends the premises to issue the infringement notice).*

*The advantages of this option are:*

- 1. No changes would be required to the Town of Vincent, Parking and Parking Facilities Local Law 2007;*
- 2. the potential for prosecutions to be disrupted by issues surrounding why all verges do not have Town of Vincent No Parking signs are avoided;*
- 3. Residents who wish to have No Parking signs on the adjacent verges can have signs (but they would own the sign not the Town of Vincent);*
- 4. Residents who do not wish to physically point out infringing verge parking vehicles or who can not wait at home for an officer to attend could establish PINS and simply call the Town to report the verge parker;*
- 5. Cost to the Town would be minimal; and*
- 6. Implementation time would be comparatively short.*

#### *Option Three*

*If the Town of Vincent wants to have Town of Vincent “No Parking” signs erected on the verges then the Town of Vincent, Parking and Parking Facilities Local Law 2007 (“the Local Law”) section 4.11 will need to be amended to so that it is clear that it is only an offence to park on a verge if that verge is displaying a Town of Vincent “No Parking” sign.*

*Please note that this is a fundamental shift in the way in which the local law will work and other sections of the local law may also have to be amended to fit with the changes to section 4.11.*

*The process of amending a local law involves multiple steps including laying the proposed amendments on the table at Parliament House and possibly being scrutinised by the Joint Standing Committee on Delegated Legislation. Please note that local laws dealing with signs are frequently subjects of reports of this Committee (please see Reports 5, 28 and 29 as well as Reports on “Issues of Concern Raised by the Committee in respect of Local Laws”).*

*The Local Law could also be amended to change the way in which authorisation for parking on the verge is provided by the owner of the land adjacent to the verge to allow for residents having a PIN to identify themselves on the telephone to the Town of Vincent when reporting a verge parker.*

*The advantage of this option is that it will be clear that only signs with verges will be enforced. The disadvantages of this option are:*

- 1. It will be time consuming and costly;*
- 2. Implementation could not start until the Local Law is amended;*
- 3. It would result in many verges having signs (which may impact on the amenity of the Town); and*
- 4. Residents without signs on the adjacent verges could be subject to increased verge parking problems because verge parkers will realise that if there is no sign then they will not be issued a infringement notice if they park on the verge.”*

Officers have assessed the probable benefits associated with the three options and have concluded that Option 2 best meets the needs of the community and the expectations of the elected members. As a result, Option 2 has been recommended for approval.

The procedure that will be used to enforce illegal Verge Parking will be similar to the current procedure. However, because some residents are reluctant to personally identify the offending vehicle, the Town has developed a system that a Password or Personal Identification Number (PIN) can be used. This Password or PIN will be unique to a property address and Rangers will be able to accept a phone call from a complainant, who provides a correct PIN, as being formal identification of the complainant. The complainant can then give details of the offending vehicle (for example, colour, make, type and registration number) and the Ranger will attend to investigate the complaint and if necessary to issue an infringement notice.

The draft Policy No. 3.9.16 has been amended to reflect the legal advice.

**CONSULTATION/ADVERTISING:**

As Option 2 is in keeping with the Town's existing Local Government Property Local Law and the implementation of a Password or PIN identification system, for use by residents, is a procedural matter, there is no need for further advertising or community consultation.

The matter was previously advertised, with two submissions received.

**LEGAL/POLICY:**

The Town has obtained legal advice on the proposed procedure and Option 2 is in compliance with the Town's Parking and Parking Facility Local Law and Local Government Property Local Law.

**STRATEGIC IMPLICATIONS:**

The above is in keeping with the Town of Vincent Strategic Plan 2009 - 2014, at Item 3.1.3(a) "*Determine the requirements of the community and ensure that the services provided meet those needs.*"

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The Town's amended Policy will enable the matter to be progressed and implemented. Reference to enforcement has been deleted from the draft Policy, as this is contained in the Town's Local Law and there is no need to duplicate this in the Policy.

The report is recommended for approval.

**9.4.3 Green Cities Conference – 27 February to 2 March 2011 – Melbourne Convention & Exhibition Centre**

<b>Ward:</b>	-	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0031
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	A Snell, Executive Secretary Development Services		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council AUTHORISES the Director Development Services and up to one Council Member ....., to attend the Green Cities Conference, 27 February to 2 March 2011, to be held at the Melbourne Convention and Exhibition Centre, Melbourne, at an estimated cost of \$3,775 each.*

The Presiding Member, Mayor Nick Catania advised that Cr Steed Farrell had nominated to attend the conference.

The Presiding Member, Mayor Catania called for further nominations.

No other nominations were received.

Moved Cr Topelberg, Seconded Cr McGrath

*That the recommendation be adopted with the nomination from Cr Steed Farrell to attend the Conference.*

Debate ensued.

**PROPOSED AMENDMENT**

Moved Cr Maier, Seconded Cr .....

*That the recommendation be amended delete the words “Cr Steed Farrell” and insert the words “Manager Planning, Building and Heritage Services”.*

**PROPOSED AMENDMENT LAPSED FOR WANT OF A SECONDER**

**MOTION PUT AND CARRIED (8-1)**

**For:** Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Lake, Cr McGrath, Cr Topelberg

**Against:** Cr Maier

**COUNCIL DECISION ITEM 9.4.3**

*That the Council AUTHORISES the Director Development Services and Cr Steed Farrell, to attend the Green Cities Conference, 27 February to 2 March 2011, to be held at the Melbourne Convention and Exhibition Centre, Melbourne, at an estimated cost of \$3,775 each.*

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval for the Director Development Services, and up to one Council Member, to attend the Green Cities 2011 Conference, to be held from 27 February to 2 March 2011, at the Melbourne Convention & Exhibition Centre, Melbourne.

**BACKGROUND:**

The Green Building Council of Australia is holding its annual conference, Green Cities, from 27 February to 2 March 2011, in Melbourne. The Town has recently become a member of the Green Building Council of Australia, and is seeking to promote more sustainable developments within the Town.

**DETAILS:**

Green Cities is an annual conference run by the Green Building Council of Australia. The Conference has run previously in 2009 and 2010, and is aimed at promoting knowledge of the essentials needed for green buildings and sustainable communities, and addressing the global challenge posed by climate change. The built environment is where the challenge and the opportunity are the greatest. The built environment is one of the largest sources of greenhouse gas emissions; however, there is a need to create accommodation for an additional 3 billion people globally over the next 20 years.

The proposed conference will run for four days, and will cover a range of key issues relevant to Local Government and sustainable development, and will include:

- More than 50 Australian and international experts;
- Insight into what industry leaders are doing;
- Understanding of rating tools and regulations;
- The metrics of financing and economics for green building;
- Spotlight sessions on residential, retail and industrial sectors;
- Dedicated content for international and government delegates;
- A large products and technology exhibition;
- A full day of Master Classes; and
- Exclusive access to Melbourne's latest green buildings via site tours.

Keynote speakers will include Denmark's [Björn Lomborg](#) and Canada's [Michael Green](#) who will present two different, yet complementary views, informed by their respective roles as economist and architect.

The Conference will be participatory in nature and attendees will have opportunity to engage in interactive discussion with presenters on a variety of topics.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Policy No. 4.1.15 relating to Conferences – 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 Council Member and one Officer may attend;"*

The Contract of Employment for the Director Development Services entitles him to attend one interstate conference per financial year.

**STRATEGIC IMPLICATIONS:**

In keeping with the Town's Strategic Plan 2009-2014 – Objective 4.2 - *"Provide a positive and desirable workplace"*, in particular, 4.2.4(b) - *"Encourage and enable employees to effectively be involved in relevant business decisions; implement two-way communication systems for individuals and teams"*.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to the principles of environmental, social and economic sustainability and is dedicated to achieving and promoting sustainable outcomes throughout its everyday functions and responsibilities.

As part of the Town's Sustainable Environment Plan 2007-2012, the Town has identified a number of objectives which are in line with the conference content.

**FINANCIAL/BUDGET IMPLICATIONS:**

Cost per person

Conference registration:	\$1,595*
Economy Airfare/transfers (Including taxes):	\$ 600
Accommodation (4 nights @ \$279):	\$1,116
Expense Allowance (4 days):	<u>\$ 464</u>
Total:	\$3,775

\* This includes a \$300 discount provided to members of the Green Building Council of Australia, and a \$100 "earlybird" discount for registering prior to 17 December 2010.

**COMMENTS:**

It is recommended that approval be granted for the Director Development Services and up to one Council Member to attend the Green Cities 2011 Conference to be held at the Melbourne Convention & Exhibition Centre, Melbourne, from 27 February to 2 March 2011.

**9.4.4 Review of Council Meetings and Forums Format, Adoption of Policy No. 4.2.3 and Meeting Dates 2011**

<b>Ward:</b>	-	<b>Date:</b>	17 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0016
<b>Attachments:</b>	<a href="#">001</a> , <a href="#">002</a> , <a href="#">003</a>		
<b>Reporting Officer:</b>	John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the assessment of the Council Meetings and Forums Format, policy, procedures and meeting dates for 2011;*
- (ii) *DOES NOT SUPPORT a change from the current Council Meeting and Forum format to a “three weekly cycle” for the following reasons:*
  - (a) *the current system has been in operation since the inception of the Council and works reasonably well;*
  - (b) *the advantages and benefits of a three weekly Forum/Agenda Briefings/Council Meeting cycle per month does not appear to provide any significant additional benefits to the Council;*
  - (c) *it will have a potential adverse impact on the timely and efficient processing of Development Applications;*
  - (d) *an additional cost of approximately \$13,500 per annum;*
  - (e) *an increased imposition on the Council Members and Senior Officers time; and*
  - (f) *whilst there would be a significant increase in time spent at Briefings and Forums, there would be less time spent on actual decision making by the Council;*
- (iii) *APPROVES:*
  - (a) *of its Council Meetings and Forums to be held at the Town's Administration and Civic Centre at 6.00pm on the dates, as detailed in Appendix 9.4.4A;*
  - (b) *of a trial of up to three (3) months for the following changes to the current meeting process and procedures effective from December 2010, to provide the Council Agenda earlier to Council Members;*
    - *Agenda closes Friday, 9 days prior to the meeting;*
    - *Agenda finalisation – Monday and Tuesday following the Friday close-off;*
    - *Agenda issued to Council Members on Tuesday; and*
    - *Agenda to be placed on the Town's website as from midday Wednesday; and*
  - (c) *of a further report to be submitted to the Council no later than May 2011; and*

(iv) **APPROVES BY AN ABSOLUTE MAJORITY:**

- (a) *to adopt amended Policy No. 4.2.3 – “Council Meetings and Forums – Format, Procedures and Maximum Duration” (subject to further review) as shown in Appendix 9.4.4B;*
- (b) *pursuant to Section 5.42 of the Local Government Act 1995, the delegation of its powers and duties to the Chief Executive Officer, and as follows:*
1. **Amended Delegations** (as shown in Appendix 9.4.4C);
    - *No. 6.2 – Development Control, Enforcement and Legal Action (Including Appeals and SAT Matters);*
    - *No. 6.5 – Determination of Residential Category 3 & 4 Planning Applications & Consideration of Variations;*
    - *No. 6.8 – “P”, “IP”, “AA” and “SA” Uses – All Categories;*
    - *No. 6.9 – Non-Conforming Uses;*
    - *No. 6.11 – Determination of Applications for Signs; and*
    - *No. 9.4 – Traffic Management Treatments/Local Traffic Management Schemes/Referrals to Local Area Traffic Management Advisory Group; and*
  2. **New Delegations** (as shown in Appendix 9.4.4C);
    - *No. 4.6 – Acceptance of Quotations and Tenders;*
    - *No. 6.5A – Determination of Non-Residential Category 3 & 4 Planning Applications & Consideration of Variations; and*
    - *No. 6.18 – Retrospective Applications; and*
- (c) *to rescind Delegation No. 3.17 – Acceptance of Tenders for the Sale of Abandoned Vehicles.*

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**Moved Cr Topelberg, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**AMENDMENT NO 1**

**Moved Cr Maier, Seconded Cr Burns**

*That Clause 2 of the Policy No. 4.2.3 be amended to read as follows:*

*“...The Council may from time-to-time wish to conduct Forums to which ~~the provisions of~~ the Local Government Act 1995 will still do not apply.”*

Debate ensued.

**AMENDMENT NO 1 PUT AND LOST (1-8)**

**For:** Cr Maier

**Against:** Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Lake, Cr McGrath, Cr Topelberg

Debate ensued.

**AMENDMENT NO 2**

**Moved Cr Lake, Seconded Cr Burns**

*That Clause 2 of the Policy No. 4.2.3 be amended to read as follows:*

*“...The Council may from time-to-time wish to conduct Forums ~~to~~ which are not prescribed under the provisions of the Local Government Act 1995. do not apply.”*

**AMENDMENT NO 2 PUT AND CARRIED (9-0)**

Debate ensued.

**AMENDMENT NO 3**

**Moved Cr Maier, Seconded Cr Burns**

*That Clause 2.2(b) of the Policy No. 4.2.3 be amended to read as follows:*

*“(b) Forums shall be conducted in accordance with the “Forum Guidelines” adopted at the Ordinary Meeting of Council held on 10 August 2004 and subsequently amended from time-to-time. amended 21 November 2006.”*

**AMENDMENT NO 3 PUT AND CARRIED (9-0)**

Cr Maier foreshadowed an amendment to page 84 of the Agenda (page 104 of the Minutes) under the heading “Three Weekly Cycle”, subheading “Disadvantages”, deletion of **“No. 6 More time for Applicants to lobby Council Members”**.

The Presiding Member, Mayor Nick Catania advised that Councillors could not amend an Officer’s Report and sought the Chief Executive Officer’s comment in this regard.

The Chief Executive Officer advised that the clause was not critical to the item and he had no objections to the deletion of the words.

The Presiding Member, Mayor Nick Catania requested the Minutes be amended accordingly.

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED  
BY AN ABSOLUTE MAJORITY (6-3)**

**For:** Mayor Catania, Cr Burns, Cr Farrell, Cr Harvey, Cr McGrath, Cr Topelberg

**Against:** Cr Buckels, Cr Lake, Cr Maier

**COUNCIL DECISION ITEM 9.4.4**

*That the Council;*

- (i) ***RECEIVES the report on the assessment of the Council Meetings and Forums Format, policy, procedures and meeting dates for 2011;***

(ii) ***DOES NOT SUPPORT a change from the current Council Meeting and Forum format to a “three weekly cycle” for the following reasons:***

- (a) *the current system has been in operation since the inception of the Council and works reasonably well;*
- (b) *the advantages and benefits of a three weekly Forum/Agenda Briefings/Council Meeting cycle per month does not appear to provide any significant additional benefits to the Council;*
- (c) *it will have a potential adverse impact on the timely and efficient processing of Development Applications;*
- (d) *an additional cost of approximately \$13,500 per annum;*
- (e) *an increased imposition on the Council Members and Senior Officers time; and*
- (f) *whilst there would be a significant increase in time spent at Briefings and Forums, there would be less time spent on actual decision making by the Council;*

(iii) ***APPROVES:***

- (a) *of its Council Meetings and Forums to be held at the Town's Administration and Civic Centre at 6.00pm on the dates, as detailed in Appendix 9.4.4A;*
- (b) *of a trial of up to three (3) months for the following changes to the current meeting process and procedures effective from December 2010, to provide the Council Agenda earlier to Council Members;*
  - *Agenda closes Friday, 9 days prior to the meeting;*
  - *Agenda finalisation – Monday and Tuesday following the Friday close-off;*
  - *Agenda issued to Council Members on Tuesday; and*
  - *Agenda to be placed on the Town's website as from midday Wednesday; and*
- (c) *of a further report to be submitted to the Council no later than May 2011; and*

(iv) ***APPROVES BY AN ABSOLUTE MAJORITY:***

- (a) *to adopt amended Policy No. 4.2.3 – “Council Meetings and Forums – Format, Procedures and Maximum Duration” (subject to further review) as shown in Appendix 9.4.4B, subject to the Policy being amended as follows:*

1. *Clause 2 being amended to read as follows:*

*“There is a need for the Council to meet and discuss matters relating to the operation and affairs of the Town outside the formal Council Meeting framework prescribed by the Local Government Act 1995 which sets out the formal procedures that apply to such meetings. The Council may from time-to-time wish to conduct Forums which are not prescribed under the Local Government Act 1995.”; and*

2. *Clause 2.2(b) being amended to read as follows:*
- “(b) Forums shall be conducted in accordance with the “Forum Guidelines” adopted at the Ordinary Meeting of Council held on 10 August 2004 and subsequently amended from time-to-time.”;*
- (b) *pursuant to Section 5.42 of the Local Government Act 1995, the delegation of its powers and duties to the Chief Executive Officer, and as follows:*
1. *Amended Delegations (as shown in Appendix 9.4.4C);*
    - *No. 6.2 – Development Control, Enforcement and Legal Action (Including Appeals and SAT Matters);*
    - *No. 6.5 – Determination of Residential Category 3 & 4 Planning Applications & Consideration of Variations;*
    - *No. 6.8 – “P”, “IP”, “AA” and “SA” Uses – All Categories;*
    - *No. 6.9 – Non-Conforming Uses;*
    - *No. 6.11 – Determination of Applications for Signs; and*
    - *No. 9.4 – Traffic Management Treatments/Local Traffic Management Schemes/Referrals to Local Area Traffic Management Advisory Group; and*
  2. *New Delegations (as shown in Appendix 9.4.4C);*
    - *No. 4.6 – Acceptance of Quotations and Tenders;*
    - *No. 6.5A – Determination of Non-Residential Category 3 & 4 Planning Applications & Consideration of Variations; and*
    - *No. 6.18 – Retrospective Applications; and*
- (c) *to rescind Delegation No. 3.17 – Acceptance of Tenders for the Sale of Abandoned Vehicles.*

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**PURPOSE OF REPORT:**

The purpose of the report is to inform the Council of the outcomes of the extensive review of the Council and Forum Meeting procedures, to approve meeting times and dates for 2011 and to adopt amended Policy No. 4.2.3 – “Council Meetings and Forums – Format, Procedures and Maximum Duration”.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 28 September 2010 the Council considered a Notice of Motion from Cr Maier and resolved as follows:

*“That the Council:*

- (i) *NOTES that:*
  - (a) *Recommendation 5 of the 2003 Independent Organisation Review recommended a twelve month trial of a three week meeting cycle; and*
  - (b) *other Councils have adopted a three week meeting cycle; and*
- (ii) *REQUESTS a report prior to the adoption of the 2011 Meeting Schedule that investigates a three week meeting cycle which includes, but is not limited to:*
  - (a) *changes to staff work loads if agendas are prepared every 3 weeks;*
  - (b) *potential impacts on development approvals;*
  - (c) *benefits and issues of having Agenda Briefings approximately one week prior to Council Meetings as is done by the City of South Perth; and*
  - (d) *investigation of the level of delegation.”*

**Presentation to Forum**

The matter outlining the extensive research into the various items was presented to a Special Forum on 2 November 2011.

**DETAILS:**

**Independent Organisation Review 2003 – Recommendation 5**

At the Ordinary Meeting of Council held on 23 March 2004 the Council considered, the following recommendation:

- (a) Council introduce a 12 month trial of three week cycles to Council decision making comprised of:
- **Week 1** Council briefing session on matters of a long term nature or are otherwise strategic in their nature and are in the early stages of development. Attendance at those meetings is by invitation. No decisions are to be made at those meetings. Matters requiring decision are to be referred to the Council Committee included in week 2 of the meetings cycle.
  - **Week 2** Council meeting in Committee whereby members of the public and parties associated with matters before Council are directly and publicly invited to attend and address the Committee. It is essential Managers of staff who author reports together with Executive Managers attend these meetings to respond to Council questions.
  - **Week 3** Ordinary Council meeting whereby the Council considers recommendations submitted from the Council Committee meeting and makes final determination on all matters.

Chief Executive Officer's Comments:

*This matter was investigated for its benefits to the Town. The Council did not change its meeting cycle at the time, however approved of modifications to the Council Chamber to allow for electronic presentations to be carried out. It also resolved to introduce Forums and adopt Forum Guidelines (which were adopted on 10 August 2004).*

**FORMAT OF MEETINGS, BRIEFINGS AND FORUMS**

Research of other Local Governments in the metropolitan area has revealed that a variety of formats exist for Meetings, Briefings and Forums. These include, but are not limited to the following:

**Table No. 1:**

<b>Format</b>	<b>Local Government</b>	<b>No. of Council Meetings</b>	<b>No. of Forums</b>
Two Council Meeting and One Forum per month (except January)	Gosnells Vincent	22	11
Two Council Meetings with Two Standing Committees per month	Bayswater	22	Ad hoc (1 per month)
Two Council Meetings with numerous Standing Committees per month	Bassendean	22	Ad hoc (1 per month)
One Council Meeting and Two Standing Committees per month (except January) with one Forum per month	Cambridge Canning Subiaco Rockingham	11	11 (1 per month)

<b>Format</b>	<b>Local Government</b>	<b>No. of Council Meetings</b>	<b>No. of Forums</b>
One Council Meeting and Four Standing Committees per month (except January)	Armadale Stirling	11	Ad hoc <i>(1 per month)</i>
Three weekly <u>continuous</u> cycle comprising: <ul style="list-style-type: none"> <li>• 1st Tuesday - Strategic Planning Session (<i>or free</i>)</li> <li>• 2nd Tuesday - Agenda Briefing Session</li> <li>• 3rd Tuesday - Council Meeting</li> </ul>	Victoria Park	16	11-20 <i>(approx)</i>
Three weekly cycle each month comprising: <ul style="list-style-type: none"> <li>• Week 1 - Forum – General</li> <li>• Week 2 - Agenda Briefing Session</li> <li>• Week 3 - Council Meeting</li> <li>• Week 4 – Free night or Forum for Strategic Matters/Major Developments</li> </ul>	Belmont Joondalup South Perth Swan	11-12	11-20 <i>(approx)</i>
Four weekly cycle comprising: <ul style="list-style-type: none"> <li>• Week 1 - Forum – General</li> <li>• Week 2 - Agenda Briefing Session</li> <li>• Week 3 - Council Meeting</li> <li>• Week 4 - Forum for Strategic Matters/Audit Committee/or Free</li> </ul>	Wanneroo	12	11-20 <i>(approx)</i>

Chief Executive Officer's Comments:

*As shown in Table No. 1, there are many formats for the Council Meetings/Briefing Sessions/Forums currently being used by Council's in the metropolitan area. Obviously there is no right or wrong format and it is up to each individual Council to determine the most suitable format which is the most beneficial to their Local Government. In determining the format and meeting cycle, it should take into consideration the extent of delegation, type and variety of development applications and the views of the Council Members, as it relates to their work and home commitments.*

**Council Meetings – 10 Year Statistics**

In researching the matter, an extensive review of the Council's decision making over the previous ten years was carried out. This has revealed some interesting statistics, summarised, as follows:

**Table No. 2:**

<b>Item</b>	<b>Total</b>	<b>10 Year Average</b>	<b>%</b>
<b>Items Considered</b>	6,992	699.2	100
<b>Recommendations Adopted</b>	4,908	490.8	69.46
<b>Recommendations Amended</b>	1,600	160	24.61
<b>Recommendations Not Adopted</b>	209	20.9	3.16
<b>Items Carried En Bloc</b>	*2,228	*278	*38.17
<b>Items Deferred</b>	397	39	5.67
<b>Items 'Laid on Table'</b>	21	2.1	-
<b>Notices of Motion</b>	187	18.7	-
<b>Average Public Attendance</b>		25	-
<b>Average Public Questions/Speakers</b>		10	-
<b>Average Meeting Time</b>	-	3hrs & 5mins	-

\*8 year period

**Decisions of Council 2000-2010**

Table No. 3 shows the summary of Council decisions, duration, statistics etc. for a ten year period.

**Table No. 3:**

Item	00/01	%	01/02	%	02/03	%	03/04	%	04/05	%
Items Considered	738	-	824	-	787	-	769	-	840	-
Recommendations Adopted	549	74.3	546	66	504	64.04	489	63.5	614	73.09
Recommendations Amended	169	22.8	214	26	184	23.52	199	25.9	163	43.45
Recommendations Not Adopted	9	1.21	30	4	38	4.82	33	4.3	14	5.71
Items Carried En Bloc	N/A	-	N/A	-	301	40.4	282	36.7	480	41.42
Items Deferred	11	1.49	29	4	50	6.35	47	6.2	48	5.71
Items 'Laid on Table'	N/A	-	N/A	-	11	1.39	1	1	1	0.1
Notices of Motion	17	-	34	-	40	-	30	-	10	-
Average Public Attendance	32	-	33	-	29	-	28	-	23	-
Average Public Questions/Speakers	N/A	-	-	-	13	-	13	-	11	-
Average Meeting Time	2hrs & 37mins		3hrs & 12mins		3hrs & 24mins		2hrs & 52mins		3hrs & 15mins	

Item	05/06	%	06/07	%	07/08	%	08/09	%	09/10	%
Items Considered	900	-	541	-	596	-	581	-	546	-
Recommendations Adopted	542	60.22	357	65.98	448	75.16	451	77.62	408	74.72
Recommendations Amended	223	24.77	149	27.54	105	17.61	87	14.97	107	19.59
Recommendations Not Adopted	38	4.2	9	1.66	6	0.01	13	2.24	19	3.47
Items Carried En Bloc	296	32.88	215	39.74	205	34.39	214	36.83	235	43.04
Items Deferred	91	10.11	26	4.80	35	0.05	28	4.82	32	5.86
Items 'Laid on Table'	6	0.6	0	0	2	0	0	-	0	0
Notices of Motion	17	-	14	-	11	-	5	-	9	-
Average Public Attendance	26	-	16	-	18	-	30	-	20	-
Average Public Questions/Speakers	12	-	7	-	8	-	12	-	5	-
Average Meeting Time	3hrs & 3mins		2hrs & 39mins		2hrs & 31mins		2hrs & 41mins		3hrs & 50mins	

**Forums 2004 – 2010:**

**Summary of Town of Vincent Forums 2004 – 2010**

Table No. 4 shows the Forum details, since they were introduced in 2004.

**Table No. 4:**

Year	No. of Forums Held	No. of Items Presented	Total Hours	Average Forum Meeting Time for Year	Average Attendance
2004	16	53	27hrs 50mins	3hrs 5mins	6
2005	10	23	24hrs 10mins	2hrs 40mins	7
2006	11	33	25hrs 25mins	2hrs 30mins	6
2007	9	21	14hrs 5mins	1hr 55mins	6
2008	9	27	23hrs 25mins	2hrs 20mins	6
2009	4	9	7hrs 36mins	1hr 50mins	6
2010	9	30	26hrs 10mins	2hrs 55mins	6

Table No. 5 shows the Forum details for the previous twelve month period.

**Table No. 5:**

No. of Forums Held 2010	<b>10</b>	
No. of Items Presented:	<b>33</b>	
<b>No. of Council Members Present:</b>	<b>No. of Hours</b>	<b>Duration:</b>
• 13 October 2009*	-	-
• 10 November 2009**	-	-
• 8 December 2009	7	2hrs 15mins
• 16 February 2010	7	4hrs 15mins
• 16 March 2010	7	3hrs 30mins
• 20 April 2010	7	55 mins
• 18 May 2010	7	2hrs 25mins
• 15 June 2010	7	3hrs 20mins
• 20 July 2010	5	1hr 55mins
• 17 August 2010	4	3hrs 10mins
• 6 September 2010 ( <i>Special</i> )	8	2hrs 05mins
• 21 September 2010	7	3hrs 35mins

Average = 2hrs, 21mins
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\* No Forum held due to Special Meeting of Council  
\*\* No Forum held due to no Items for consideration

Chief Executive Officer's Comments:

*The average over a ten year period for duration of Council Meetings in 3 hours, 5 minutes. The average duration for a Forum is 2 hours, 21 minutes (7 year period).*

**Meetings and Meeting Times**

Table No. 6 highlights the average Council Meeting time for a ten year period.

**Table No. 6:**

	YEAR										Average
	00-01	01-02	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10	
Average Council Meeting Time (minutes)	207	192	204	172	195	183	159	151	161	230	<b>185.4</b> (3hrs 5mins)
Average Forum Meeting Time (minutes)	Nil	Nil	Nil	185	160	150	115	140	110	175	<b>141</b> (2hrs 21mins)

**Council and Forum Meeting Times**

**Table No. 7:**

Item	Number	Av Time	Total	Hours	% of time spent decision making
Council Meetings	22	185.4	4,079	67.98	
Forums	11	141.6	1,558	25.96	
<b>Total</b>	<b>33</b>	<b>327</b>	<b>5,636</b>	<b>93.94</b>	<b>72.34%</b>

**Time**

**Table No. 8(a):**

Item	Number	Av Time	Total	Hours/Year	% of time spent decision making
Forums	15	141.6	2,124	35.40	
Agenda Briefings	15	120.0	1,800	30.00	
Council Meetings	15	185.4	2,781	46.35	
<b>Total</b>	<b>45</b>	<b>447.0</b>	<b>6,705</b>	<b>111.75</b>	<b>41.47</b>

**Table No. 8(b):**

Item	Number	Av Time	Total	Hours
Extra time/meetings	15		1,888	17.18%

Chief Executive Officer's Comments:

*The % of time spent decision making in a Council Meeting is currently 72.34%, for 22 Council Meetings per year. The % time spent for decision making in a three weekly cycle would decrease to 41.47%, however the actual time spent at meetings/briefings/forums would increase 17.18% - an extra 15 briefing sessions per year.*

**REPORTS TO COUNCIL**

**Table No. 9 – Comparison of Number of Reports to Council – Breakdown by Directorates – Other Local Governments**

Item	Summary									
	Vincent		Victoria Park		Joondalup		South Perth		Cambridge	
	Total	Av	Total	Av	Total	Av	Total	Av	Total	Av
<b>Dev Application</b>	<b>157</b>	7.18	101	6.31	81	5.06	46	4.18	75	6.81
<b>Policy</b>	<b>62</b>	2.81	17	1.06	17	1.06	22	2	27	2.45
<b>Rangers &amp; Health</b>	<b>37</b>	1.68	2	0.12	11	0.68	9	0.18	2	1.63
<b>Technical Services</b>	<b>92</b>	4.18	43	2.68	61	3.81	18	1.63	99	9
<b>Corporate Services</b>	<b>86</b>	3.9	68	4.25	85	5.31	46	4.18	60	5.45
<b>CEO</b>	<b>118</b>	5.36	58	3.62	53	3.31	36	3.27	37	2.36
<b>Total Items</b>	<b>559</b>	25.4	289	18.06	308	19.25	177	16.09	200	27.27
<b>Number of Pages</b>	<b>3,256</b>	148	2,089	130.56	1,858	116	1,016	92.36	1,429	79

Chief Executive Officer's Comments:

*A comparison of reports submitted to other local governments is shown in Table No. 9. This Table reveals that Vincent submits considerably more items to Council. The number of items reveals that the size of agenda's is also a lot bigger for example:*

*Vincent = 3,256 pages for 1 year  
Victoria Park = 2,089 pages for 1 year  
Joondalup = 1,858 pages for 1 year  
Cambridge = 1,429 pages for 1 year  
South Perth = 1,016 pages for 1 year.*

*Several Council Members have queried how Vincent could reduce the number of or size of the reports to Council. This can be achieved in several ways, as follows:*

1. Reports of "Information Only"

*Reports of information only will be included in the Information Bulletin (or alternatively separately circulated to Council Members to read at their leisure).*

2. Extension of the Current Delegations

*Later in this report is a section referring to Delegations. Several new delegations are recommended, as well as several amendments to several other delegations. If approved, at least 75 reports will no longer be fully reported to the Council.*

3. Length of Reports

*The Town's current practice of including extensive background or previous Council recommendations will be reduced to that which is most relevant. Other dates will still be included, allowing Council Members to research prior history, if required.*

**POTENTIAL IMPACT ON STAFF WORKLOADS**

The potential impact on staff workloads, if the agendas are prepared every three weeks is shown below. This should also be read in conjunction with the financial implications, detailed later in this report.

- Less work for Minutes Secretary – less time spent on preparation of official Agendas and Minutes;
- More time required for Minutes Secretary to prepare Draft Agenda for Agenda Briefing Sessions – then converting to official Agenda for Council Meetings;
- Chief Executive Officer and Directors will be required to spend more time at after-hour meetings; and
- Unknown impact on the time spent responding to the number of pre-Council meeting emails/queries.

**ADVANTAGES AND DISADVANTAGES OF AGENDA BRIEFINGS PRIOR TO COUNCIL MEETING**

**Advantages and Disadvantages of Meeting Formats**

*Two Council Meetings per Month*

Advantages

1. Meeting dates are specific and more well known (i.e. 2<sup>nd</sup> and 4<sup>th</sup> Tuesday).
2. Current system has been working without complaint since the inception of the Town.
3. Faster turnaround for Deferred Items.
4. More Council meetings (22) per annum, whereby decisions can be made by the Council.

Disadvantages

1. Constant meeting cycle results in increased work pressure at times.
2. The Monday and Tuesday before the meeting is often very busy answering questions and responding to emails.
3. Meetings are sometimes long. (Refer to Table No. 3 Average meeting time for 2009-10 was 3hours and 50 minutes).

**Three Weekly Cycle**

Advantages

1. Less time per year spent on preparation of Agenda's and Minutes (i.e. 15 Agenda's and 15 Minutes).
2. More information available for Council Members each item, before a decision is made.
3. Less costly for Minute Secretary wages i.e. less Overtime.
4. Officer Recommendation is made public much sooner, as it will be public knowledge at the Agenda Briefing Session.

Disadvantages

1. Meeting dates are not specific
2. Less Council meetings per annum (15)
3. More items per meeting, unless more Delegation is granted.
4. More time spent by Council Members and Senior Officers at Briefings and Forums.
5. More travel/trips to the Administration and Civic Centre.
6. More resources spent printing Draft Agenda and subsequent Agenda.
7. More expensive to operate (approximately \$13,500/year).

**Council Member Survey Concerning Meetings and Forums**

A survey of Council Members was carried out. All Council Members, except 1, provided responses. A Councillor chose not to respond to the survey questions, as they indicated they were opposed to the introduction of a three week cycle.

The following is a response to the questions, together with comment as submitted.

**Questions for Forums - Week 1**

- Q1. Should these be closed to the public? (*Vic Park, South Perth and Joondalup all = yes*).  
**Yes: 4**      No: 2      Undecided: 0      Nil Responses: 2
- Q2. Will it be expected that a Forum be held, if only 1 or 2 items to consider?  
**Yes: 2\***      **No: 5**      Undecided: 1  
\* Only if they are major or specific items
- Q3. Should Developer deputations be presented to a Forum or an Agenda Briefing session?  
**Yes: 6 = Forums**      No: 1 = Agenda Briefing      Undecided: 1  
Either Forum or Briefing: 1
- Q4. Will it be expected that Council Members will be required to attend these?  
**Yes: 3**      **No: 5**
- Q5. Will it be expected that CEO and Directors will be required to attend these, even if they have no items?  
**Yes: 1**      **No: 7**
- Q6. Should a maximum time limit be imposed for Forums?  
**Yes: 8**      No: 0  
Suggested Time:    2hrs: (2 Crs)    2.5hrs: (1 Cr)    3hrs: (3 Crs)    4hrs: (2 Crs)
- Q5. Will it be expected to provide sandwiches before, or a meal after, a Forum?  
**Yes: 1\***      **No: 7**  
\* Several responses indicated a meal or sandwiches if the Forum exceeded 8pm or 2 hours duration.

**Questions for Agenda Briefing Sessions - Week 2**

- Q1. Should the public be entitled to ask questions?  
**Yes: 3**      **No: 4**      Undecided: 1
- Q2. Should the public be entitled to make public statements?  
**Yes: 5**      No: 2      Undecided: 1
- Q3. If yes, will it be expected that notes or minutes be recorded?  
**Yes: 4\***      No: 4  
\* Brief notes only

- Q4. Will it be expected that Council Members will be required to attend these?  
**Yes: 5** No: 3
- Q5. Will it be expected that CEO and Directors will be required to attend these, even if they have no items?  
**Yes: 5** No: 3
- Q6. Should a maximum time limit be imposed for Agenda Briefing Sessions?  
**Yes: 8** No: 0  
Maximum Time: 2hrs: (3 Crs) 3hrs: (2 Crs) 4hrs: (3 Crs)
- Q7. Will it be expected to provide sandwiches before, or a meal after, Agenda Briefings?  
**Yes: 4\*** No: 1 Undecided: 1  
\* Meal, if meeting proceeds after 8pm or 2 hours duration.

### **Questions for Three weekly Meeting Cycle-Council Meetings - Week 3**

- Q1. Will the CEO be permitted to add new items to the agenda, after the Draft agenda has been finalised, but before the Council meeting, e.g. Late Items or Urgent Business? (*Vic Park and Joondalup = yes, South Perth = no*).  
**Yes: 6** No: 2\*  
\* Except if the matter is urgent
- Q2. Should Special Council meetings still be held for the Budget (or will these be at a Forum (which will normally be closed to the public)?  
**Yes: 6** No: 1 Undecided: 1
- Q3. Will it be expected that Council Members will be able to email questions, etc (as is current prior to the meeting) or will this procedure be discontinued, as questions can be asked at the Agenda Briefing?  
**Yes: 7** No: 1

### **Further Survey – 4 November 2010**

The Chief Executive Officer sent a further survey on 4 November 2010 seeking feedback on:

- Agenda close date and issue to Council Members; and
- Pre-Council procedures for questions and requests.

Five (5) responses were received.

Four (4) Council Members suggested the Agenda be issued on a Tuesday, prior to the meeting. One (1) Councillor advised that they are happy with the current arrangement as do not have sufficient time during the week, any they read the Agenda on the weekend.

All council Members agreed the current pre-Council procedures are beneficial and should be retained. Several comments were received about the extent of emails which are circulated before a meeting.

The revised pre-Council meeting protocols and procedures are based on this feedback.

#### **Chief Executive Officer's Comments:**

*Based on the survey responses, the following changes will be made:*

#### ***Revised Procedure and Proposed Trial***

- *Agenda closes Friday, (9 days prior to the meeting);*
- *Agenda finalisation – Monday and Tuesday following the Friday close-off;*
- *Agenda issued to Council Members on Tuesday; and*
- *Agenda to be placed on the Town's website as from midday Wednesday.*

**POTENTIAL IMPACT ON DEVELOPMENT APPLICATIONS**

A review of the ten year period for Development Application reports to Council is shown in Table No. 10.

**Table No. 10:**

Item	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10	10 Year Average
Total Number of Planning Applications	361	556	563	672	605	633	737	615	703	741	<b>618.6</b>
Number of Planning Applications dealt by Council	148	444	349	241	260	398	324	147	168	164	<b>264.3</b>
Total Number of Development Applications	238	472	404	532	471	513	631	511	539	650	<b>496.1</b>
% of Planning App. Under Delegated Authority	59	20	38	64	57	37	66	76	72	75	<b>56.4</b>
% of Dev. App. Under Delegated Authority	31	20	40	60	56	40	70	79	76	75	<b>54.7</b>
Average time (days) to process for Planning App.	38	37	44	45	60	67	56	48	52	49	<b>49.6</b>
Average time (days) to process Dev. App.	37	34	56	70	66	66	56	59	63	51	<b>55.8</b>
% of Planning App. Processed with Statutory Time.	80	62	78	68	60	45	62	93	65	95	<b>68.6</b>
Av. No: of Plan App. Per Council meeting (22 Meetings)	6.72	20.2	15.9	10.98	11.8	18.1	14.7	6.68	7.63	7.45	<b>12.0</b>
Av. No: of Plan App. Per Council meeting (15 Meetings)	9.86	29.60	23.3	16.06	17.3	26.5	21.6	9.8	11.2	10.8	<b>17.6</b>

**Planning and Development Applications**

Table No. 11 shows the breakdown of planning applications (by Category) for the period October 2009 – October 2010.

**Table No. 11:**

Category Items for 2010 (n=164)	Items	%
Category 1	33	20.12
Category 2	43	26.21
Category 3	57	34.76
Category 4	31	18.91
	<b>164</b>	<b>100</b>

**Deferred Items**

For the period October 2009 to October 2010 there were 23 items deferred by the Council which represents 14%. Deferred items could take longer to determine with a three weekly cycle. As advised, the deferred items are as follows:

15 related to Development Applications- 3 were deferred “*at the request of the Applicant*”, the remaining were deferred by the Council, “*for further information or clarification of information*”. Of the 15 items, four (4) were reported to the next Council Meeting.

8 related to six (6) Strategic Planning/Policy items-deferred for further consideration e.g. more information, rewording etc. Of the 8 items, two (2) were reported to the next Council Meeting.

Chief Executive Officer's Comments:

*The average number of Development Applications considered by the Town over a ten year period is 618. In 2009-2010 (October – October period) a total of 164 Planning Applications were reported to the Council – the breakdown by Building Category is shown in Table No. 11. This reveals that under the current Delegations, 88 Category 3 and 4 items were reported to the Council. If the Delegations is amended, these could be dealt with by the Town's Administration. The average number of Planning Applications per meeting for 2009-2010 was 7.45 however, the ten year average was 12. If a three weekly cycle of council meetings was introduced, this would increase to 10.8 planning items per meeting.*

*The number of Deferred Planning, Building and Heritage Items was 23, which represents 14% of the total Planning, Building and Heritage Items (A total of 32 Items which represents 5.86% of the total Items reported to Council were deferred).*

*Therefore, based on the information researched, the Chief Executive Officer is of the opinion that a change from the current meeting cycle to a three weekly meeting cycle will adversely impact on the timely and efficient process of development applications.*

## **DELEGATIONS**

### **Local Government Structural Reform Checklist**

It is important to remember that as part of the Local Government Reform process, the Town received a No. 1 Ranking in 2009. However, the Department for Local Government also advised:

*“Whilst the checklist and attached documents demonstrate the Town's capacity to implement long term strategic and financial planning processes, areas where improvements are required were identified in relation to:*

- *noted delays with processing development application.”*

The Council and Town's Administration have been active in making changes to improve the efficiency of processing development applications and to reduce time delays. These changes have resulted in improvements.

The additional delegations are in keeping with the Council's decision to improve the process.

On 9 March 2010 the Council resolved to adopt an amendment to delegation No. 66, to allow the Manager Planning, Building and Heritage Services to determine all category 3 and 4 residential planning applications. At this same meeting, the Non-Variation Policy was rescinded, and therefore the Officers now have the delegation to approve open space, outdoor living area and residential car parking variations. This has resulted in improvements to the processing of Development Applications.

### **Comparison of Other Local Government in respect of their level of Delegation**

Research was carried out concerning the extent of delegation provided to a number of other local governments. This has revealed that the Town submits a relatively high number of Development Applications to the Council for consideration and determination. Hence, a request for additional delegation is recommended.

**Table 12**

Item 1 July 2009 – 30 June 2010	Vincent	Cambridge	South Perth	Joondalup
Applications determined under delegated authority	<b>486 (75%)</b>	<b>330 (92%)</b>	<b>558 (91.3%)</b>	<b>* approx 95.8%</b>
Applications determined by the Council	<b>164 (25%)</b>	<b>28 (8%)</b>	<b>48 (8.7%)</b>	<b>* 4.2%</b>
Average processing time	49 days	4 weeks	Unknown	47.7 days

\* actual numbers not known

### New Delegations

After examining the variety of reports represented to the Council for the period October 2009 to October 2010, it is considered that improvements could be made by extending the current delegation to the Town's Administration, as follows:

The requested **new** delegations allows the Town's Administration to:

- No. 4.6 – Acceptance of Quotations and Tenders;

*Chief Executive Officer's Comments:*

*This new delegation is very similar to that utilised by most other local governments. An amount of \$250,000 is recommended, as this will cover most annual tenders (mainly for works, materials etc). (The other local governments mostly have a maximum amount of \$250,000). If this delegation is approved, approximately 20 reports will no longer be submitted annually to the Council.*

- No. 6.5A – Determination of Non-Residential Category 3 & 4 Planning Applications & Consideration of Variations; and
- No. 6.18 – Retrospective Applications.

### Amended Delegations

- No. 9.4 – Traffic Management Treatments/Local Traffic Management Schemes;

*Chief Executive Officer's Comments:*

*The delegation to refer requests to the Town's LATM Advisory Group will expedite the process. If approved, approximately 7 reports will no longer be reported annually to the Council in the first instance – a report will be submitted to the Council after the LATM considers the matter.*

- No. 6.2 – Development Control, Enforcement and Legal Action (Including Appeals and SAT Matters);
- No. 6.5 – Determination of Residential Category 3 & 4 Planning Applications & Consideration of Variations;
- No. 6.8 – "P", "IP", "AA" and "SA" Uses – All Categories;
- No. 6.9 – Non-Conforming Uses;

- No. 6.11 – Determination of Applications for Signs;

Chief Executive Officer's Comments:

*Of the 164 Development Applications determined at the Ordinary Meetings of Council within the sample of period of October 2009 to September 2010, 61 of those applications would no longer be determined by the Council in accordance with the proposed schedule of delegations.*

*The 61 Development Applications are made up of:*

- *19 retrospective applications that had 5 or less objections, or 5 or less car parking shortfall;*
- *22 Category 3 or 4 applications that proposed significant variations to the RDEs/R Codes;*
- *8 applications for 3 dwellings;*
- *4 applications with a car parking shortfall of 5 or less car bays;*
- *7 applications for SA or Unlisted Use that had 5 or less objections, or 5 or less car parking shortfall; and*
- *1 application that had more than 5 submissions (however, 5 or less objections).*

If the recommended delegations are approved, approximately eighty eight (88) reports will no longer be reported in detail to the Council.

**Amended Delegation – Development Applications**

Essentially, the modifications propose increased delegation as follows:

- Officers to deal with DAs for 3 dwellings or more (currently 2);
- Non-Conforming Uses where 5 or less objections are received;
- Retrospective Applications where they are compliant (all Retrospective Applications are currently reported to the Council);
- As proposed in the Community Engagement Policy, only applications where 5 or less objections (currently 5 submissions regardless of objection or support) or more have been received will require Council determination;
- Refuse, approve and apply conditions to all Category 3 and 4 non-residential planning applications for the following developments:

1. Category 3 single-storey and two-storey non-residential and mixed use development, where it is compliant with the associated Precinct Policy, for development comprising:
  - New non-residential and mixed use development; and
  - Alterations and/or additions to existing non-residential and mixed use development;

Which do not represent a car parking shortfall of more than 5 car bays; and

2. Category 4 developments (developments of a minor complex nature or impact) including:
  - Carports;
  - Garages;
  - Outbuildings;
  - Patios;
  - Front/street walls and fences; and
  - Signs (excluding billboards).

### **Trial of a Modified Council Meeting Format**

The Chief Executive Officer's recommendation does not support a change to a three weekly cycle, however he does recommend a change to the current timeline for the issue of the agenda (this matter was raised by several Council Members (i.e. 4). It is recommended that the change be trialled for a period of 3 months.

### **Adoption of Council Policy No. 4.2.3 – Council Meetings and Forums – Format Procedures and Maximum Duration**

In order to provide greater accountability and transparency to the process and to provide guidance for future Councils and the Administration, it is recommended that a Council Policy concerning this matter be adopted. Research has revealed that a number of other local governments have a formal policy (e.g. City of South Perth, City of Belmont), others have formalised their meeting format. In this regard, it is recommended that existing Policy No. 4.2.3 be amended to incorporate the new format, protocols and procedures. A copy of the amended Policy No. 4.2.3 is attached at Appendix 9.4.4B.

### **Current Pre-Council Meeting Protocols and Procedures**

On 8 September 2006, the following procedure was introduced and has worked reasonably well since then. It is recommended that these be amended as shown by strikethrough and underlining, and formally adopted in a Council Policy/Procedure:

#### Objective:

To improve efficiency, reduce duplication, better co-ordination and use of resources and to minimise pressure on Employees and Council Members, for pre-Council meeting enquiries and requests:

#### **“(a) Closing Time for Council Member Enquiries**

Council Member enquiries for information are preferably to be submitted by midday on the Friday and no later than 9am on the Monday before the meeting on Tuesday.

#### **(b) Enquiries received after Closing Time**

Any enquiries received after the 9am closing time (on the Monday prior to the meeting) are to be referred to the Chief Executive Officer for consideration. ~~Directors have been instructed not to action enquiries which are received after the deadline, without the Chief Executive Officer's approval.~~

#### **(c) Enquiries to be copied to the Chief Executive Officer**

Where Council Members send an email direct to the Director, they are requested to also send a copy of their ~~enquires~~ email to the Chief Executive Officer. This will ensure that enquiries are not duplicated and the most appropriate person researches the matter.

#### **(d) Nature of Enquiry**

In some instances, Council Members have been requesting information which is considered to be beyond that required for the proper consideration of a matter (e.g. operational details, personal interpretation of a policy and the like). The Local Government Act prescribes that Council Members are only entitled to be provided with sufficient information for them to “*make an informed decision and to perform their duties*”. To comply with good governance requirements, it is requested that Council Members keep this in mind when making their request.

**(e) Multiple or complex Enquiries about an Item/Matter**

Where an Council Member has multiple (or complex) enquiries about an item/matter, it is preferable to send their email and to also request a meeting with the appropriate Director(s) (or Chief Executive Officer if applicable). This will ensure that the matter can be more efficiently/better explained and will minimise the impact on resources.

**(f) Requests for Amendments**

The Administration will ~~continue to provide~~ “*alternative recommendations*” and amendments of a substantial or complex nature, ~~as we have done previously~~ and if the ~~require enquiry~~ is received by the Monday morning cut-off time, these will be prepared and ~~faxed~~ emailed on the Monday evening (or prior to the meeting) – this will allow Council Members to check the amendment and to ensure that they are satisfied that it meets their request.

(Note: A number of recent requests from Council Members have been relatively simple and straightforward (e.g. changing a word or a number). These necessitate staff time, paper and add to “the number of copies of coloured paper” at the meeting. It is requested that these straightforward and simple amendments be moved at the Meeting.)”

**ISSUE OF AGENDAS**

The following is the current procedure for preparation of Agendas for Ordinary Meetings of Council:

- Agenda closes Wednesday, (6 days prior to the meeting);
- Agenda finalisation – Thursday following the Wednesday close-off;
- Agenda issued to Council Members on Thursday evening; and
- Agenda is placed on the Town’s website as from midday Friday.

It is recommended that the matter be trialled for up to three (3) months, effective from December 2010, to provide the Council Agenda earlier to Council Members and a report be provided to the Council in May 2011.

**CONSULTATION/ADVERTISING:**

Council Meeting dates are required to be published on a Local basis.

Notices of Forum are available for viewing on the Town's website [www.vincent.wa.gov.au](http://www.vincent.wa.gov.au) and are placed on the Notice Board at the Town's Administration & Civic Centre.

**LEGAL/POLICY:**

**Council Meetings**

Legislation - Statutory Provisions: Section 5.3 of the Local Government Act 1995 states:

*“Ordinary and Special Council meetings:*

- (1) *A Council is to hold ordinary meetings and may hold special meetings;*
- (2) *Ordinary meetings are to be held not more than three months apart;*
- (3) *If a Council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.”*

Regulation 12 of the Local Government (Administration) Regulations 1996 states:

- “12 (1) *At least once a year a local government is to give local public notice of the dates on which and the time and place at which –*
- (a) the ordinary Council meetings; and*
  - (b) the Committee meetings that are required under the Act to be open to members of the public or that are proposed to be op[en to members of the public;*
- Are to be held in the next 12 months;*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1);”*

### **Forums**

At the Ordinary Meeting of Council held on 21 November 2006, the Council resolved inter-alia as follows;

#### *"4.6 Meeting Notification*

- 4.6.2 (a) *Forums will be held on a regular basis such as an alternative third week to the ordinary Council meeting. The dates will be advertised in accordance with the Council Policy Relating to Community Consultation.*
- (b) *The Mayor, in liaison with the Chief Executive Officer, may schedule additional Forum dates, as the need arises.*
- (c) *Any additional Forum dates will be advertised on a local basis by placing a Notice on the Public Notice Boards in the Administration and Civic Centre and in the Town's Library, on the Town's webpage and by advertising in a local newspaper (if time permits)."*

### **Meeting Time**

Since the creation of the Town in July 1994, Council meetings have commenced at 6.00pm, and this has worked well. Accordingly, it is recommended that no change be made to the meeting time.

### **Meeting Dates**

Meetings and Forums have been held on a Tuesday night since the creation of the Town. Subject to the approval of the Council, it is recommended that Ordinary Meetings of the Council continue to be held on the second and fourth Tuesday of the month, except January (no meeting) and April and December (first and third Tuesday – to avoid the Easter and Christmas holiday periods respectively and to maintain the two weekly cycle).

### **STRATEGIC IMPLICATIONS:**

This is in keeping with the Town's Strategic Plan - Plan for the Future 2009-2014, Objective 4.1 - *"Provide Good Strategic Decision Making, Governance, Leadership and Professional Management"* and, in particular, Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner"*.

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The advertising of the Meeting and Forum dates will cost approximately \$250.

An analysis of costs associated with Council Meetings, Forums and Briefings was carried out for the following items:

**Table No. 13 – Agenda Briefing Sessions**

Item	No.	Cost	Hours	TOTAL
Sandwiches	15	\$82		\$1,230
Meals	15	\$283		\$4,245
Beverages	15	\$42		\$630
Room Setup and Cleaning	15	\$22	2.5	\$825
Electricity and Power	15	\$117	2.5	\$4,393
Agendas (time, paper and printing)	15	\$30	2	\$900
Minutes (Time, Paper and Printing)	15	\$30	1	\$450
Wages – Minutes Secretary – Agenda/Minutes Preparation	15	\$32.42	8	\$486
Wages – Directors	1	\$9,315	1	\$9,315
Wages – Chief Executive Officer	1	\$0	0	\$0
<b>TOTAL</b>				<b>\$22,475</b>

The costs as summarised as follows:

**Current Two Council Meetings/Month (A):**

**Table 14**

Item	Number	Total
Council Meetings	22	\$37,672
Council Forums	11	\$11,335
<b>TOTAL</b>	<b>33</b>	<b>\$49,007</b>

**Three Weekly Cycle (B):**

**Table 15**

Item	Number	Total
Council Meetings	15	\$25,685
Council Forums	15	\$14,423
Agenda Briefing	15	\$22,475
<b>TOTAL</b>	<b>45</b>	<b>\$62,583</b>

Nett Additional Cost (A-B) = \$13,576

Chief Executive Officer's Comments:

*The nett additional cost to operate a three weekly cycle will cost an additional \$13,500 per year. The main cost will be for:*

- *Meals \$4,245*
- *Electricity and Power \$4,394*
- *Wages – Directors \$9,315 (the Directors currently do not receive any overtime for attending Council Meetings and Forums)*
- *Sandwiches \$1,230*
- *Agendas (time and paper) \$900*

**COMMENTS:**

The Notice of Motion has required extensive research of the Council's meeting cycle and associated agendas. The research has proved invaluable in revealing some interesting statistics, particularly when compared to other local governments (refer Table No. 9).

The research has revealed that there is no one right or wrong format for Council Meetings and Forums (refer Table No. 1). Each local government must adopt the format/system which best suits their requirements and particular circumstances.

Based on the research, the Chief Executive Officer considers that the Town's current Council meeting/forum format is working satisfactorily and, subject to issuing the Agenda earlier to Council Members, together with approving of additional delegations to the Town's Administration, should continue. A trial of the revised procedure is recommended.

A change from the current Council Meeting and Forum format to a "three weekly cycle" is not supported for the following reasons:

- (a) the current system has been in operation since the inception of the Council and works reasonably well;
- (b) the advantages and benefits of a three weekly Forum/Agenda Briefings/Council Meeting cycle per month does not appear to provide any significant additional benefits to the Council;
- (c) it will have a potential adverse impact on the timely and efficient processing of Development Applications;
- (d) an additional cost of approximately \$13,500 per annum;
- (e) an increased imposition on the Council Members and Senior Officers time; and
- (f) whilst there would be a significant increase in time spent at Briefings and Forums, there would be less time spent on actual decision making by the Council.

In view of the above, approval of the Officer Recommendation is requested.

## 10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 10.1 Notice of Motion – Cr Topelberg – Relating to Investigation of Commercial Parking Permits

*That the Council REQUESTS:*

- (i) *the Chief Executive Officer to investigate the introduction of paid Commercial Parking Permits in the Town. The scope of the investigation shall include, but not be limited to:*
  - (a) *identifying and establishing commercial parking zones within the 5 Town Centres;*
  - (b) *potential introduction of paid Commercial Parking Permits within the Town Centres;*
  - (c) *potential criteria for permit entitlement;*
  - (d) *potential fee structures;*
  - (e) *financial implications; and*
  - (f) *impact on the Town's Car Parking Strategy; and*
- (ii) *a report be submitted to the Council no later than March 2011, to ensure it can be considered during the 2011/2012 Budget process.*

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#### **COUNCIL DECISION ITEM 10.1**

**Moved Cr Topelberg, Seconded Cr Burns**

*That the Motion be adopted.*

**Debate ensued.**

**MOTION PUT AND CARRIED (9-0)**

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### 10.2 Notice of Motion – Cr Topelberg – Relating to Britannia Reserve and Litis Stadium Masterplan

As the matter was the subject of questions/comments during Public Speaking Time, the item was brought forward for consideration and is shown on page 43 of the Minutes.

**10.3 Notice of Motion – Crs McGrath and Lake – Relating to Investigation of a Trial for a Vehicle Charge Point for Electric Vehicles**

*That the Council REQUESTS the Chief Executive Officer to investigate the opportunity to trial a "charge point" for the recharging of electric vehicles to be located in a publicly accessible location, with a report to be submitted to the Council by March 2011 to include;*

- (a) a preferred location/s (such as a Town of Vincent public car-park which is easily accessible, with space available for vehicles to park while charging, highly visible location for maximum exposure to raise public awareness of this initiative and be located within a Town Centre);*
- (b) possible suppliers of "charge points";*
- (c) indicative budget implications of conducting a trial;*
- (d) a draft "Communications Plan" for promoting use and benefits to the environment in using electric vehicles (including scooters) over conventional (petrol/gas/diesel) powered vehicles; and*
- (e) the "Communications Plan" to highlight that the Town would be trialling the installation of a "charge point" to assess and promote the uptake of use of electric vehicles (particularly scooters) for local travel, as a more environmentally sustainable transport option, compared with the use of conventional vehicles.*

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**COUNCIL DECISION ITEM 10.3**

**Moved Cr McGrath, Seconded Cr Lake**

*That the Motion be adopted.*

**Debate ensued.**

**MOTION PUT AND CARRIED (9-0)**

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**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

**12.1 Metropolitan Regional Road Group – Central Technical Sub Group - Council Member Representation**

<b>Ward:</b>	-	<b>Date:</b>	16 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	TES0174
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	Manuela McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

*That;*

- (i) *Cr ..... and the Manager Asset and Design Services be nominated as the Town’s Council Member Representative and Officer on the Central Technical Sub Group of the Metropolitan Regional Road Group, with the term expiring on 15 October 2011; and*
- (ii) *Cr ..... be appointed as Deputy Member.*

The Presiding Member, Mayor Nick Catania called for nominations.

Cr Buckels nominated for clause (i); and

Cr Maier nominated for clause (ii).

No further nominations were received.

Moved Cr Topelberg, Seconded Cr Farrell

*That the motion, together with the nominations be approved.*

**MOTION PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 12.1**

*That;*

- (i) *Cr Matt Buckels and the Manager Asset and Design Services be nominated as the Town’s Council Member Representative and Officer on the Central Technical Sub Group of the Metropolitan Regional Road Group, with the term expiring on 15 October 2011; and*
- (ii) *Cr Dudley Maier be appointed as Deputy Member.*

**PURPOSE OF THE REPORT:**

The purpose of the report is for the Council to appoint its Member to the Central Technical Sub Group of the Metropolitan Regional Road Group (MRRG).

## **BACKGROUND:**

There are ten (10) Regional Road Groups (RRGs) in WA established under the State Roads Fund to Local Government Agreement 2005/2006 - 2009/2010, including the Metropolitan Regional Road Group (MRRG). Within policies and guidelines established by the State Roads Funds to Local Government Advisory Committee, the Regional Road Group (RRG) is responsible for;

- Assessing Local Government road funding needs;
- Prioritising Road Projects and Black Spot Grants;
- Monitoring and reporting on program effectiveness;
- Monitoring expenditure on approved local road projects;
- Raising relevant issues with the State Advisory Committee; and
- Development of regional funding prioritisation guidelines based on recommended standards.

The RRGs comprise an elected representative and technical officer from each of the Sub Groups within the region. The RRGs are supported by a Technical Committee comprising of an elected representative and officer from each Council within the Sub Group.

Administrative support for the RRGs is provided by Main Roads WA.

The Membership of the Central Technical Sub Group of the Metropolitan Regional Road comprises of the Town of Vincent, City of Perth and City of Subiaco.

Each Local Government is represented by one (1) Council Member and one (1) Officer.

The Town's Manager Asset and Design Services and/or Director Technical Services have been representing the Town on this Group over the previous years.

Currently, the Town of Vincent does not have an elected member representative on the Central Technical Sub Group and the current Chair of the Group has recently written to the Town to see if it were possible for a Council Member from the Town to be appointed.

The Chair of the Sub Group is elected annually. Each elected member of the Sub Group has an opportunity to nominate to chair the group, which entails representing the Sub Group on the MRRG. Similarly, an officer is elected as the Technical Officer for the group. For 2010/11, the Central Technical Sub Group representatives are Councillor Lynley Hewett of the City of Subiaco and the Town's Manager Asset and Design Services, Craig Wilson.

## **DETAILS:**

### **Terms of Reference:**

- Assess Local Government road funding needs
- Prioritise Road Projects and Black Spot Grants;
- Monitor and report on program effectiveness
- Monitor expenditure on approved local road projects
- Raise relevant issues with the State Advisory Committee
- Development of regional funding prioritisation guidelines based on recommended standards.

### **Meeting Duration:**

1-2 hours

### **Number of Meetings per year:**

3-4 meetings

### **Fee Payable:**

Nil

### **Any Specific Skills required for a Member:**

Nil. However, having an understanding of road safety and funding issues would be advantageous and beneficial.

**13. URGENT BUSINESS**

Nil.

**14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)**

Nil.

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor Nick Catania, declared the meeting closed at 8.55pm with the following persons present:**

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake ( <i>Deputy Mayor</i> )	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ”
David Bell	Journalist – “ <i>The Perth Voice</i> ”

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 23 November 2010.

Signed: ..... Presiding Member  
Mayor Nick Catania

Dated this ..... day of ..... 2010