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(24 June 2003)**

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  - (v) WALGA Metropolitan Member - Museum Policy Development Reference Group (approved by Minister) (Panel of 3 Names)
  - (vi) WALGA Member - Regional Health Strategy Advisory Group
  - (vii) WALGA Deputy Member - Regional Health Strategy Advisory Group
  - (viii) WALGA Member - Swan River Trust (approved by Minister) (Panel of 3 Names)
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  - (xiv) WALGA Member - WAPC Transport Committee (approved by Minister) (Panel of 3 Names)

## **13. URGENT BUSINESS**

Nil. 200

## **14. CLOSURE**

200

Minutes of the Ordinary Meeting of the Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 24 June 2003, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

The Presiding Member, Mayor Nick Catania, JP declared the Meeting open at 6.00pm.

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

**(a) Apologies:**

Nil.

**(b) Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Caroline Cohen	South Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Basil Franchina	North Ward
Cr Sally Lake	South Ward
Cr Maddelena Torre	South Ward

John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental & Development Services
Rick Lotznicher	Executive Manager, Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Debbie Winfield	Minutes Secretary

Alia Bath	Journalist - Voice News (in public gallery)
Ryan Sturman	Journalist – Guardian Express (until 9.08pm)

Approximately 15 Members of the Public

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

Cr Ian Ker	South Ward
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**Cr Torre departed the Chamber at 6.00pm.**

**Cr Torre returned to the Chamber at 6.01pm.**

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

1. Mr Gary Shiers of 7 Seabrook Street, Mount Hawthorn - regarding the almost completed development at 193-195 Oxford Street, Leederville. He stated this development had a significant impact on Mrs Kingston of 191 Oxford Street, and that although he recognised Council may not be in a position to change what has occurred, he hoped Council would be mindful in the future. He also stated that Mrs Kingston objected to the development with the support of a petition with 100 signatures, and the two key issues were plot ratio bulk and scale and overshadowing.

He referred to previous minutes and a letter received from Mr Rob Boardman on these issues. He noted that he had attended inside the premises at 191 Oxford Street, and that there was no sun or light in the ground level, and no sun and very little light in the second storey. He requested the Mayor to contact Mrs Kingston and attend the site.

*Mayor Nick Catania responded and explained the development application process, and that Mrs Kingston's objections were received after the advertising period for objections had closed, and after planning approval and the building licence had been granted. He also stated that he would visit Mrs Kingston on-site, and apologised for not having done so, although Town Officers had visited her.*

*Mr Rob Boardman, Executive Manager Environmental and Development Services stated that he had visited Mrs Kingston on-site in relation to the issues raised, and that it was at the request of Mrs Kingston that no further action be taken, as agreement had been reached between Mrs Kingston and her family, and the adjoining developer.*

2. Ms Lucia Dedear of 98 Buxton Street, Mount Hawthorn, also on behalf of Tony Keene of 93 Kalgoorlie Street, Mount Hawthorn - Item 11.4. She congratulated Cr Lake for her motion to make the Independent Organisation Review a public briefing as she hoped the new Council will recognise the residents wish for more open briefings on important issues, particularly as ratepayers had paid for and participated in the review. She requested Councillors to support the motion.
3. Father Jim Petri, Parish Priest of St Mary's of 40 Franklin Street, Leederville - regarding the almost completed development at 193-195 Oxford Street, Leederville. He stated that he had been the Parish Priest for 11 years and during that time had known Mrs Kingston, and that the ground floor of her home was in darkness and the second storey was like a "cave". He also stated that Council should not have allowed the adjoining development to be approved, and questioned the method of advertising for the development application. He requested that the next Council meeting be held at Mrs Kingston's home so Councillors can appreciate the environment in which she now lives.

*Mayor Nick Catania responded that this Council does consider decisions based on a process and the information provided, which includes objections received from neighbours, and unfortunately in this instance, no objections were received prior to planning approval.*

4. Mr Steven Robinson of 26 Witchcliffe Way, Dianella - Item 10.1.16. Stated that he had recently met a number of Councillors on-site and thanked them, and the Cleaver Street Precinct Group for their assistance.
5. Mr Claude Sebatino of Unit 6, 178 Grosvenor Road, North Perth - Item 10.1.2. Stated that his neighbour's main concern was the cone of vision from the balcony, into their front yard at 84 Forrest Street. He requested that the Town allow a row of mature plants in lieu of screening to the balconies, as he would not be spending time looking at his neighbour's front yard but at the city skyline. Also requested that the condition to screen the windows in bedroom 2 and 3 and that the windows be awning windows be withdrawn, as he considered this a safety issue in the case of fire. Further requested that the requirement for a front setback of 6 metres be withdrawn to allow more space in his backyard.

6. Mr Dudley Maier of 51 Chatsworth Road, Highgate - regarding the almost completed development at 193-195 Oxford Street, Leederville and Item 10.3.3. Stated that in regard to the 193-195 Oxford Street development, objections should not be relied upon, and that Councillors should consider development applications using the Town Officer reports and assess them based upon the rules, and that in this case, a 75% shadow was against the rules and should not have been approved. In regard to Item 10.3.3, he stated that the Council should not approve in principal the transfer of ownership of HQ, until after the reports have been received and considered.
7. Mr Dan Caddy of 44B Fairfield Street, Mount Hawthorn - Item 10.2.1. He commended Councillors Chester and Doran-Wu on their motion. He stated that he was a resident of Fairfield Street north of Scarborough Beach Road, and he along with other residents to the north were also affected by the activity of hotel patrons. He asked why there was no letter box drop in the north, as there was in Fairfield Street, south of Scarborough Beach Road, advertising the public forum to discuss the parking and noise concerns of hotel patrons.

*Mr Rick Lotznicher, Executive Manager Technical Services responded that a petition had been received from the Fairfield Street residents south of Scarborough Beach Road, and he was not aware of issues on the north side, hence the public meeting was advised to South side residents.*

*Mayor Nick Catania responded that any issues in future in that area would also include Fairfield Street north of Scarborough Beach Road.*

**Cr Torre departed the Chamber at 6.25pm.**

8. Mrs Vanessa Kingston of 191 Oxford Street, Leederville - regarding the almost completed development at 193-195 Oxford Street, Leederville. Stated that as a result of the development her house was very dark, with no sunlight or fresh air. She also stated that the height of the development was higher than the plans.

*Mayor Nick Catania responded that if the building had not been built to the specifications of the planning approval, that could be referred to the builder by the Town.*

**Cr Franchina departed the Chamber and sat in the Public Gallery at 6.27pm.**

**Cr Torre returned to the Chamber at 6.27pm.**

Cr Franchina spoke into the microphone and attempted to address the Council.

The Mayor advised Cr Franchina that he was not permitted to speak or ask questions as a member of the public, as he was a Councillor.

Councillor Franchina stated that he could speak as a member of the public.

Mayor Catania requested that Cr Franchina resume his chair as a Councillor.

Cr Franchina refused to resume his chair and made derogatory remarks about the Mayor.

At 6.32pm, Mayor Catania advised that due to the disruption, the Meeting would be adjourned for four (4) minutes.

At 6.36pm, Mayor Catania advised the Meeting had resumed.

**Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Basil Franchina	North Ward
Cr Sally Lake	South Ward

(absent Councillors Chester, Cohen and Torre.)

John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental & Development Services
Rick Lotznicher	Executive Manager, Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Debbie Winfield	Minutes Secretary

Alia Bath	Journalist - Voice News
Ryan Sturman	Journalist – Guardian Express

Approximately 15 Members of the Public

9. Ms Jan Barley of 66 Emmerson Street, North Perth - Item 10.1.13. Asked if the objections to this development from herself and her neighbour had been received by Council.

**Cr Cohen returned to the Chamber at 6.38pm.**

She stated that the proposed Unit 3 had a garage with a decking on top, which would overlook her courtyard, and the wall would block out any sun and sea breeze to her property.

*Mayor Nick Catania responded that the objections had been received by Council.*

10. Mary Warrington of 66A Emmerson Street, North Perth - Item 10.1.13. Stated that she had submitted her objections to the development to Council and asked if it was normal practice for the Officer Report to be written before the advertisement period for objections had closed. She noted that the report was being written on 19 June 2003, the day that she went to review the plans, and the closing date of the advertisement period was 4pm 20 June 2003.

*Mayor Nick Catania advised that it was not normal practice and would seek an explanation from the Chief Executive Officer.*

There being no further questions from the public, the Presiding Member closed Public Question Time at 6.39pm.

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

IB07

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.



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

Nil.

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

**6.1 Ordinary Meeting of Council held on 10 June 2003.**

**Moved Cr Lake, Seconded Cr Doran-Wu**

*That the Minutes of the Ordinary Meeting of Council held on 10 June 2003 be confirmed as a true and correct record.*

**CARRIED (6-0)**

**(Crs Chester and Torre were absent from the Chamber and did not vote. Cr Ker on approved leave of absence.)**

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

Nil.

**Crs Chester and Torre returned to the Chamber at 6.40pm.**

**8. DECLARATION OF INTERESTS**

8.1 Mayor Catania declared a proximity interest in Item 10.1.8 - No.109 (Lot Pt 149) Forrest Street, North Perth – Retrospective Planning Application for Approval of Partial Demolition and Alterations and Additions to Existing Single House. His interest being that he resides in a property in close proximity.

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

**9.1 Questions from Simon Chester re Use of Council Halls**

Q1. In the past year, how many of the Town's halls were leased to specific groups?

*Chief Executive Officer's Response*

*Although they may not be strictly regarded as halls, there are four premises leased to specific groups. They are Forrest Park, Charles Veryard Pavilion, Len Fletcher Pavilion, and Britannia Road Reserve Pavilion.*

Q2. In the past year, how many of the Town's halls were available for casual hire?

*There are seven halls available for casual hire. They are:*

*Mount Hawthorn Main Hall.*

*Mount Hawthorn Lesser Hall.*

*North Perth Town Hall.*

*North Perth Lesser Hall.*

*Banks Reserve Pavilion.*

*Menzies Park Pavilion.*

*Royal Park.*

Q3. What is the utilisation rate of the halls available for casual hire?

*Chief Executive Officer's Response*

*The halls are available for hire from 8.00 am until midnight , seven days a week all year round. For the period 1 July 2002 until 31 May 2003, the halls actual usage in terms of percentages was:*

*Banks Reserve Pavilion: 8.65 %*

*Menzies Park Pavilion: 4.63 %*

*Mount Hawthorn Lesser Hall: 25.86 %*

*Mount Hawthorn Main Hall: 9.27 %*

*North Perth Town Hall: 7.19 %*

*North Perth Lesser Hall: 4.70 %*

*Royal Park Hall: 17.78 %*

*This percentage is based on full utilisation of the hall being from 8am to 12 midnight (16 hours per day).*

*The total numbers of users for each Hall from 1 July 2002 – 31 May 2003 has been:*

*Banks Reserve Pavilion: 4 637.*

*Menzies Park Pavilion: 1 865.*

*Mount Hawthorn Lesser Hall: 23 454.*

*Mount Hawthorn Main Hall: 11 000*

*North Perth Town Hall: 2 956.*

*North Perth Lesser Hall: 2 043.*

*Royal Park: 12 532.*

Q4. In the past year, how many phone/casual enquiries and applications have been refused due to lack of vacancy in the Town's halls?

*Chief Executive Officer's Response*

*This data is not recorded. However, Friday and Saturday nights are the busiest nights in the 3 main halls. Often people ring with one to two month's notice wanting to book one of the main halls on a Friday or Saturday night and there are no vacancies.*

*Weeknights are also popular for meetings at all halls, being booked out to regular patrons.*

*Currently new regulars are being turned away, due no availability at the popular times.*

*Popular times are weekend and weeknight evenings. And although the rest of the time the halls may be available it is generally for these peak times that we are unable to satisfy the demand for.*

## 10. REPORTS

Presiding Member, Mayor Nick Catania announced that there would be a change in the process in the order of business, with the items that Elected Members select for discussion being dealt with in Agenda Order and not in selection order.

The Agenda Items were categorised as follows:

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

Items 11.4, 10.1.16, 10.1.2, 10.2.1, 10.1.13 and 10.3.3.

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

Nil.

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

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

Cr Ker	Nil
Cr Lake	10.1.5, 10.1.9, 10.1.13, 10.1.15, 10.1.16, 10.2.6 and 12.1
Cr Chester	10.1.1, 10.1.5, 10.1.6, 10.1.11, 10.1.12, 10.1.14, 10.1.17, 10.4.2 and 10.2.5
Cr Torre	Nil
Cr Doran-Wu	Nil
Cr Farrell	10.2.2 and 10.4.2
Cr Cohen	10.1.8 and 10.3.4
Cr Franchina	Nil

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

Item 10.1.8.

10.5 **Unopposed items which will be moved en bloc:**

Items 10.1.3, 10.1.4, 10.1.7, 10.1.10, 10.1.18, 10.2.3, 10.2.4, 10.2.7, 10.2.8, 10.2.9, 10.2.10, 10.2.11, 10.2.12, 10.2.13, 10.3.1, 10.3.2, 10.4.1 and 10.4.3.

10.6 **Confidential Reports which will be considered behind closed doors at the conclusion of other items and the following was advised.**

Nil.

The **New Order** of which items to be considered, was follows:

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

Items 10.1.3, 10.1.4, 10.1.7, 10.1.10, 10.1.18, 10.2.3, 10.2.4, 10.2.7, 10.2.8, 10.2.9, 10.2.10, 10.2.11, 10.2.12, 10.2.13, 10.3.1, 10.3.2, 10.4.1 and 10.4.3.

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

Items 11.4, 10.1.16, 10.1.2, 10.2.1, 10.1.13 and 10.3.3.

**Moved Cr Lake, Seconded Cr Torre**

*That the following unopposed items be moved en bloc;*

*Items 10.1.3, 10.1.4, 10.1.7, 10.1.10, 10.1.18, 10.2.3, 10.2.4, 10.2.7, 10.2.8, 10.2.9, 10.2.10, 10.2.11, 10.2.12, 10.2.13, 10.3.1, 10.3.2, 10.4.1 and 10.4.3.*

**CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**10.1.3 No. 10 (Lot 1) Haynes Street, Corner Sydney Street, North Perth - Proposed Subdivision**

<b>Ward:</b>	North	<b>Date:</b>	12 June 2003
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	122092
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission for the proposed survey strata subdivision of No. 10 (Lot 1) Haynes Street, corner Sydney Street, North Perth, and as shown on the plan stamp-dated 6 May 2003 (subdivision 122092), subject to:*

- (i) all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
- (ii) support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
- (iii) if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, a separate Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
- (iv) all buildings and structures that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
- (v) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost;*
- (vi) the street verge tree on Haynes Street adjacent to the subject land being retained and measures being taken to ensure its identification and protection to the satisfaction of the Town prior to commencement of site works; and*
- (vii) the applicant obtaining Planning Approval and/or Building Licence for the development of a house(s) on the lots less than 350 square metres in accordance with Clause 2.3.3 of the Residential Design Codes. Any proposed development shall comply with the requirements of the Residential Design Codes and the Town's Town Planning Scheme No. 1 and associated Policies including the Policy relating to the Eton Locality, which includes the provision that development is to respect and maintain the existing character of the area, and this is considered to be predominantly detached dwellings with no boundary/parapet walls;*

*to the satisfaction of the Chief Executive Officer.*

**NOTE:**

*The subject property is located within the Town's Eton Locality which is subject to Amendment No.11 to the Town of Vincent Town Planning Scheme No. 1. Amendment No.11 proposes to rezone the Eton Locality from R30 and R30/40 to R20. The Amendment is currently with the Western Australian Planning Commission and Minister for Planning and Infrastructure for final approval.*

**COUNCIL DECISION ITEM 10.1.3**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**LANDOWNER:** EA D'Castro  
**APPLICANT:** Peter Driscoll and Associates  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R30/40 (R30 applies)  
**EXISTING LAND USE:** Single House  
**COMPLIANCE:**

Use Class	Single House
Use Classification	"P"
Lot Area	660 square metres

**SITE HISTORY:**

The site currently supports a single storey single house which is proposed to be demolished to create two greentitle lots.

**Scheme Amendment No. 11**

The subject property is located within the Town's Eton Locality, which is subject to Amendment No.11 to the Town of Vincent Town Planning Scheme No. 1. Amendment No.11 proposes to rezone the Eton Locality from R30 and R30/40 to R20. The Amendment is at present with the Western Australian Planning Commission and Minister for Planning and Infrastructure for final determination. Elected Members have requested that all subdivision proposals within the Eton Locality be referred to Council for determination.

**DETAILS:**

The applicant seeks to subdivide the property in accordance with the Residential R30 density code, to create two (2) lots.

**CONSULTATION/ADVERTISING:**

The proposal did not require advertising.

**COMMENTS:**

The proposed subdivision complies with the provisions of the Residential R30 density code in relation to lot size requirements. The R30 code permits a minimum lot size of 270 square metres with an average lot size of 300 square metres. Two (2) lots are proposed as part of the subdivision and the existing house is proposed to be demolished. The lot sizes proposed are 330 square metres per lot.

The proposal is in accordance with the current density code and is therefore supported, subject to standard conditions.

**10.1.4 No. 14 (Lot 1) Carrington Street, North Perth - Proposed Survey Strata Subdivision**

<b>Ward:</b>	North	<b>Date:</b>	13 June 2003
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	407-03
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission for the proposed survey strata subdivision of No. 14 (Lot 1) Carrington Street, North Perth, and as shown on the plan stamp-dated 15 April 2003 (survey strata subdivision 407-03), subject to:*

- (i) all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
- (ii) support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
- (iii) if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, a separate Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
- (iv) all buildings and structures that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
- (v) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost;*
- (vi) the street verge tree on Carrington Street adjacent to the subject land being retained and measures being taken to ensure its identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (vii) the applicant obtaining Planning Approval and/or Building Licence for the development of a house(s) on the lots less than 350 square metres in accordance with Clause 2.3.3 of the Residential Design Codes. Any proposed development shall comply with the requirements of the Residential Design Codes and the Town's Town Planning Scheme No. 1 and associated Policies including the Policy relating to the Eton Locality, which includes the provision that development is to respect and maintain the existing character of the area, and this is considered to be predominantly detached dwellings with no boundary/parapet walls; and*
- (viii) a Management Statement being prepared and submitted in accordance with section 5C of the Strata Titles Act 1985, to include the following additions to the by-laws contained in Schedules 1 and 2 of the Strata Titles Act:*

- (a) *development or redevelopment on the survey strata lots must comply with an existing development approval issued by the Town of Vincent, or such alternative development approval as the Council may grant, which complies with the requirements of the Town of Vincent Town Planning Scheme; and*
- (b) *amendment to or repeal of the above provision cannot be effected without the Commission's agreement; and*
- (ix) *the existing residence to comply with the requirements of the Residential Design Codes to the satisfaction of the Town, including;*
  - (a) *the provision and construction of two (2) on site car parking bays and associated driveway and crossover;*
  - (b) *the provision of a permanent enclosed storage area and adequate provision for the storage of garbage; and*
  - (c) *the provision of a 20 square metres courtyard, with minimum dimensions of 4 metres;*

*to the satisfaction of the Chief Executive Officer.*

**NOTE:**

*The subject property is located within the Town's Eton Locality which is subject to Amendment No.11 to the Town of Vincent Town Planning Scheme No. 1. Amendment No.11 proposes to rezone the Eton Locality from R30 and R30/40 to R20. The Amendment is currently with the Western Australian Planning Commission and Minister for Planning and Infrastructure for final approval.*

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**COUNCIL DECISION ITEM 10.1.4**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**LANDOWNER:** A Manowski  
**APPLICANT:** Oracle Surveys  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R30/40 (R40 applies)  
**EXISTING LAND USE:** Single House  
**COMPLIANCE:**

Use Class	Single House
Use Classification	"P"
Lot Area	613 square metres



**SITE HISTORY:**

The site currently supports a single storey single house.

**Scheme Amendment No. 11**

The subject property is located within the Town's Eton Locality, which is subject to Amendment No.11 to the Town of Vincent Town Planning Scheme No. 1. Amendment No.11 proposes to rezone the Eton Locality from R30 and R30/40 to R20. The Amendment is at present with the Western Australian Planning Commission and Minister for Planning and Infrastructure for final determination. Elected Members have requested that all subdivision proposals within the Eton Locality be referred to Council for determination.

**DETAILS:**

The applicant seeks to survey strata subdivide the property in accordance with the Residential R40 density code, to create two (2) lots.

**CONSULTATION/ADVERTISING:**

The proposal did not require advertising.

**COMMENTS:**

The proposed survey strata subdivision complies with the provisions of the Residential R40 density code in relation to lot size requirements. The R40 code permits a minimum lot size of 200 square metres with an average lot size of 220 square metres. Two (2) lots are proposed as part of the subdivision. The lot sizes proposed are 267 square metres and 269 square metres for the lot, which will accommodate the existing dwelling to be retained, and an area of common property of 77 square metres.

The proposal is in accordance with the current density code and is therefore supported, subject to standard conditions.

**10.1.7 No. 226 (Lot 1) Oxford Street corner Richmond Street, Leederville – Proposed Alterations and Additions to Existing Shops**

<b>Ward:</b>	South	<b>Date:</b>	16 June 2003
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	PRO0860; 00/33/1587
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Studio Di Architettura on behalf of the landowner Fire Star Enterprises for proposed alterations and additions to existing shops at No. 226 (Lot 1) Oxford Street, corner Richmond Street, Leederville, and as shown on plans stamp-dated 9 April 2003, subject to;*

- (i) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (ii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iii) a road and verge security deposit bond and/or bank guarantee of \$2400 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iv) details of all street trees adjacent to the subject property shall be submitted with the Building Licence application;*
- (v) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (vi) the windows, doors and adjacent floor area facing Oxford Street and Richmond Street shall maintain an active and interactive frontage to Oxford Street and Richmond Street;*
- (vii) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (viii) no part of the awning shall project from the building line for more than 600 millimetres less than the width of the footpath on Oxford Street;*
- (ix) prior to the first occupation of the development, one (1) class two bicycle parking facility and two (2) class three bicycle parking facilities, shall be provided at a location convenient to the entrance of the development, within the subject property. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*

- (x) *prior to the issue of the Building Licence, revised plans shall be submitted and approved demonstrating end of trip bicycle facilities in accordance with the Town's Policy relating to Parking and Access. The revised plans shall not result in any greater variation to the requirements of the Town's Policies; and*
- (xi) *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;*

*to the satisfaction of the Chief Executive Officer.*

**COUNCIL DECISION ITEM 10.1.7**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**LANDOWNER:** Fire Star Enterprises  
**APPLICANT:** Studio Di Architettura  
**ZONING:** Metropolitan Region Scheme - Urban  
 Town Planning Scheme No.1 – Commercial  
**EXISTING LAND USE:** Shops

**COMPLIANCE:**

Use Class	Shop
Use Classification	'P'
Lot Area	936 square metres

**Car Parking:**

*Car parking requirement (nearest whole number): 438.6 square metres of shop requires 29.2 car parking bays	29 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.85 (within 800 metres of a rail station)</li> <li>▪ 0.85 (within 400 metres of a public carpark with excess of a total of 75 car parking spaces)</li> <li>▪ 0.90 (end of trip and parking facilities for bicycle users)</li> </ul>	(0.55)  15.95 car bays
Minus the car parking provided on site. 14 bays provided	1.95 car bays
Minus the most recently approved on site car parking shortfall (after taking into account relevant adjustment factors) (2 car bays shortfall for previous approval on this site)	+0.05 carbay
Resultant surplus	0.05 car bay

\* These adjustment factors reflect conditions/clauses (ix) and (x) of the Officer Recommendation.

**Bicycle Parking Facilities:**

<b>Required</b>	<b>Provided</b>
1 bicycle parking space for employees (Class2)	No bicycle parking shown on plans.
2 bicycle parking space for visitors/shoppers (Class 3)	

**SITE HISTORY:**

The subject site is occupied by existing five retail/shop tenancies. The surrounding area is characterised by commercial and residential development.

The Town has undertaken an archive search with the City of Perth records, which has revealed that the subject property was granted Planning Approval for commercial/retail offices by the City of Perth at a Council Meeting held on 18 February 1991. The proposal was approved with a two carbay shortfall.

**DETAILS:**

Approval is sought for alterations and additions to the existing shops. The additional floor space proposed is 74.29 square metres, which equates to a total floor area of 438.6 square metres.

**CONSULTATION/ADVERTISING:**

There were no objections received during the advertising period.

**COMMENTS:**

**Carparking**

The carparking provision for the development complies with the Town's Policy relating to Parking and Access.

There is a 0.05 carbay surplus for the proposed development and as such carparking complies with the Town's requirements.

**Bicycle Parking**

The Town's Parking and Access Policy requires the provision of bicycle parking facilities for all commercial properties. One Class 2 bicycle parking facility for employees and two Class 3 bicycle parking facility for visitors are required, and should be provided accordingly. The applicant has also proposed to include end of trip facilities (showers) for bicycles users and as such, a condition has been applied accordingly.

**Awning**

The Town's Local Law relating to Verandahs and Awnings Over Streets states that *"no part of the verandah or awning shall project from the building line for more than 3 metres for more than 600 millimetres less than the width of the footpath, whichever is lesser."* As such, a condition has been applied accordingly.

**Summary**

The proposal is supportable as is not considered to unreasonably adversely affect the amenity of the adjacent properties or the streetscape. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

**10.1.10 No. 40A (Lot 98) Buxton Street, Mount Hawthorn – Proposed Demolition of Existing Single House and Construction of a Single Storey Single House**

<b>Ward:</b>	North	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Mount Hawthorn, P1	<b>File Ref:</b>	PRO2329; 00/33/1600
<b>Reporting Officer(s):</b>	S Crawford		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by APG Homes on behalf of the owners S and R Nahajski for proposed demolition of the existing single house and construction of a single storey single house at No. 40A (Lot 98) Buxton Street, Mount Hawthorn, and as shown on the plans 23 April 2003, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) subject to first obtaining the consent of the owners of No. 40 Buxton Street, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 40 Buxton Street, in a good and clean condition;*
- (iii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iv) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (v) a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) the construction of crossovers shall be in accordance with the Town's specifications; and*
- (vii) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (viii) an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (ix) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (x) the carport shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the verandah;*

- (xi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site; and*
- (xii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Buxton Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*

*to the satisfaction of the Chief Executive Officer.*

**COUNCIL DECISION ITEM 10.1.10**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**LANDOWNER:** S and R Nahajski  
**APPLICANT:** APG Homes  
**ZONING:** Metropolitan Region Scheme: Urban  
 Town Planning Scheme No.1: Residential R30  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Single House
Use Classification	"P"
Lot Area	491 square metres

Requirements	Required	Proposed
Setbacks		
Carport - Front setback	4.0 metres or when located within the front setback the carport cannot exceed 50 per cent of the width of the lot at the building line.	0.35 metre and 47.5 per cent.
Carport - northern side setback	1.5 metres	0.565 metre
Southern side setback	1.5 metres or in areas coded R30 and higher a parapet wall is permitted to one side boundary with a maximum height of 3.5 metres and average height of 3.0 metres for 2/3 (66 per cent) of the boundary.	Minimum nil for 18 per cent of the boundary with an average and maximum height of 2.778 metres.

**SITE HISTORY:**

The subject site is occupied by a single storey dwelling.

## **CONSULTATION/ADVERTISING:**

The proposal was advertised and no submissions were received.

## **DETAILS:**

Approval is sought for the demolition of the existing dwelling and construction of a single storey single house.

## **COMMENTS:**

### **Demolition**

The Town's Heritage Officer commented that the subject building is dated circa 1940. The building has undergone some changes to its internal physical fabric. The place is constructed of brick, limestone foundation, and tile roof and has a front porch area. Windows are simple casement style, a fireplace of some brick detailing is also typical of minimal war-time construction. The front doors are constructed of glass geometric detailing typical of the 1940's period. Where windows are not aluminium sliding, they are plain timber casements. Timber boards run the length of the dwelling, east-west. The place is not considered to have any heritage value and does not warrant a full heritage assessment.

Due to its much altered state, the place has little cultural heritage significance, and does not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory.

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

## **Setbacks**

### **Carport – Front Setback**

The applicant seeks a reduced front setback to accommodate the proposed carport. Reduced front setbacks are permissible for carport structures within the Residential Design Codes (R Codes), subject to them being no greater than 50 per cent of the width of the frontage at the building line. In this instance, the carport represents 47.5 percent of the frontage and therefore complies.

### **Carport – Northern Side Setback**

The R Codes would require a 1.5 metres setback to the northern boundary, and in this instance the applicant is proposing a 0.565 metre setback. Carports are permitted to be located within the front setback area under the R Codes, and a reduced side setback to accommodate this is common. It is considered that the proposed reduced setback will have no undue effect on the neighbour and streetscape and is therefore acceptable.

### **Southern Side Setback**

Generally, the R Codes would require a 1.5 metres setback for this wall to the boundary. However, the R Codes includes a provision which permits a parapet wall to one side boundary in areas coded R30 or higher for a maximum of 2/3 (66 per cent) of the length of the boundary, where the wall has a maximum height of 3.5 metres and an average height of 3.0 metres. The applicant seeks to utilise this provision for a parapet that has a maximum height of 2.778 metres for 18 per cent of the boundary. The parapet wall being on the southern side will have minimum overshadowing impact on the affected neighbour due to the proposal being single storey construction. Furthermore, the proposed overshadowing is well within the limits of the R Code provisions. Thus the proposal is compliant with this provision.

The proposal is generally supportable as it is not considered to unreasonably adversely affect the amenity of the adjacent properties or the streetscape of the area. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

**10.1.18 Purchase of Two (2) Bicycles and Associated Equipment for Use by Police in Patrolling of the Town of Vincent**

<b>Ward:</b>	Both Wards	<b>Date:</b>	16 June 2003
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	ORG0064
<b>Reporting Officer(s):</b>	KC Bennett		
<b>Checked/Endorsed by:</b>	J MacLean, R Boardman		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the purchase of two pushbikes, at a total cost of \$2880.00, for the use by Police Officers, from the Leederville Station and that the purchase is to be funded from the Safer Vincent budget.*

**COUNCIL DECISION ITEM 10.1.18**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**DETAILS:**

The Town has been approached by Leederville Police to sponsor the purchase of two push cycles to provide more comprehensive patrol strategies within the Town.

The Town of Vincent has enjoyed an effective and dynamic partnership with the officers from Leederville Police Station, which has developed over the past 8 years. This partnership has enabled a number of diverse strategies to be undertaken, to identify, assess and address appropriate local issues of crime prevention, safety and security.

Access to rights of way, small side streets, car parks, parklands, shopping and business precincts, are easier to a pushbike than to a large motor vehicle. Police visibility is enhanced in local business and residential precincts and police are able to stop in crowded areas, when they are using bicycles. When using bicycles, Police are also more accessible to the public and are seen as less remote from the day-to-day issues affecting the general community.

Currently, Local Police carry out several targeted operations around Mt Hawthorn, North Perth, and the Leederville area on a regular basis. These patrols are conducted, both on foot and in marked Police vehicles and this achieves an element of deterrence to would-be criminals. However, it has been recognised that the ability to move quickly through confined areas in a less noticeable manner has a much more advantageous outcome, than that achieved in Police vehicles, with sirens and lights in operation. It is therefore considered to be a highly positive step, for the Police to be looking toward the advantages of having a Bicycle Unit, sited at Leederville Police Station.



At the present time, there are a number of issues of concern, in the Mt Hawthorn and Leederville areas, including assaults and house and vehicle break-ins. The Town, together with the local Police have been developing an awareness campaign to encourage the community to undertake safe practices and to report suspicious people and occurrences. There are community crime prevention presentations planned, for the near future and the information currently being disseminated to targeted areas, will help to raise the community's awareness of the current crime trends and treatment strategies. Bicycle Police patrols will assist in raising the profile of the Safer Vincent Programme and enhance the Safer Vincent Message in the community. The crime prevention presentations will be implemented, initially in the Mt Hawthorn area and will then progress to the other parts of the Town.

**LEGAL/POLICY:**

There is no legal impediment to the proposed purchase of two bicycles for the Leederville Police.

**STRATEGIC IMPLICATIONS:**

The above recommendation is in keeping with KRA 1.8(a) of the Town's current Strategic Plan 2000 – 2002 "*Develop and implement a Comprehensive Strategy for Law, Order and Public Safety*" in that it will provide a service which is relevant to and will address the needs of our community.

The recommendation is also in keeping with KRA 2.5 of the Town's Draft Strategic Plan 2002 – 2007, "*Develop and Implement Community Programmes for Law, Order and Safety*" in that it promotes the development of community safety, provides an opportunity for residents, ratepayers and businesses to live and work in a safe, secure and healthy environment.

**ADVERTISING:**

There is no need to advertise the above, although it should be ensured that the Town of Vincent logo is clearly displayed on the bicycles to promote the Town's sponsorship of this initiative.

**FINANCIAL/BUDGET IMPLICATIONS:**

The purchase of two push cycles and necessary equipment will cost \$2880. There are sufficient funds in the Safer Vincent budget to accommodate this purchase.

**COMMENTS:**

It is believed that this sponsorship will strengthen the Town's partnership with the WA Police and the local community. It will give the Town an opportunity to actively participate in the response to issues of concern.

It is considered that these bicycles will be a valuable resource for the local Police and their purchase should make an appreciable difference to crime within the Town and benefit the whole community.

**10.2.3 Roads to Recovery Program - Continuation of Funding**

<b>Ward:</b>	Both	<b>Date:</b>	20 February 2001
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0174
<b>Reporting Officer(s):</b>	R Lotznicher		
<b>Checked/Endorsed by:</b>	-		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on the Roads to Recovery Program - Continuation of Funding; and*
- (ii) *writes to the Prime Minister, the Deputy Prime Minister, the Local Federal Member, and the Minister for Transport and Regional Services requesting that they give consideration to the continuation of the Roads to Recovery Program beyond 2005.*

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**COUNCIL DECISION ITEM 10.2.3**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**BACKGROUND:**

At the Ordinary Meeting of Council held on 5 December 2000, the Council was advised that the Federal Government would be providing the Town extra funding of \$657,770 over a four (4) year period (or \$164,442.50 per annum) under the newly created Federal Roads to Recovery Program. It was also advised that the funding would be provided to the Town in 16 quarterly payments of \$41,110.63 per quarter commencing in February 2001.

In addition, payments under the Program could only be used "on the construction upgrade or maintenance of roads" and that works could include:

- Traffic signs and control equipment
- Street lighting equipment
- Bridges or tunnels, including pedestrian bridges or tunnels
- Bicycle paths
- Road Resurfacing/Upgrades

## DETAILS

On 30 May 2003, a letter was received from the Independent Member for New England, Mr Tony Windsor, urging Mayors and Councils to get *on the front foot* in relation to the continuation of the Roads to Recovery Program beyond 2005 (when the program is due to cease).

An extract from his letter is as follows:

*“The four year Program is in its third year and is currently under review as part of the Auslink Land Transport Planning process that the Government has put in place.*

*I'm sure you would agree that the Roads to Recovery Program has been a very successful Federal Government program with a simple focus of direct line funding from the Commonwealth government to local government, with local government making the decisions as to where to spend the money.*

*I believe that local government can drive the agenda in relation to the future of Roads to Recovery. Strong representations at local, state and federal conferences were made this year.*

*If councils wait until they receive an agenda from the Commonwealth, they may well find that the bureaucracy has clawed back control of the funds under the new Auslink document.*

*This could undermine probably the most successful local roads programs Australia has seen.*

*In terms of the tax take from fuel excise at the bowser, Roads to Recovery represents less than 1.5 cents per litre out of 38 cents per litre so any attempt to reduce that amount or change the way it is administered should be resisted.*

*Local government has the whip hand on this issue and should start using it to advantage country residents.*

*I therefore urge you to lobby your local Federal Member and directly to the Prime Minister, The Hon John Howard and Deputy Prime Minister and Minister for Transport and Regional Services, The Hon John Anderson, to support the case for the continuation of this very effective program.”*

## Benefits to the Town to Date

Since its inception in 2001, the Town has benefited considerably from the program and has completed the following twelve (12) projects at no cost to its ratepayers:

- Loftus Street - Lighting upgrade
- Forrest Park - Harold Street cycleway
- Cleaver Street - Improvement works Vincent to Newcastle St
- Brisbane Street - Improvement works Stirling to Bulwer St
- Smith Street - Improvement works Lincoln to Bulwer St
- Fleet Street – resurfacing Richmond to Bourke St
- Harold Street - Improvement works Stirling St to Lord St
- Carr Street - Improvement works Cleaver St to Charles St

- Angove Street - Contribution to Streetscape works Daphne St to Fitzgerald St
- Joel Terrace - Resurfacing Mitchell to Westralia St
- Chelmsford Road - Improvement Works Hutt to Beaufort St
- Federation Street - Improvement Works Anzac Rd to Purslowe St

**FINANCIAL/BUDGET IMPLICATIONS:**

The Town currently can receive almost \$1M dollars in State and Federal funding for infrastructure improvement works from the following sources

- |  |                             |
|--|-----------------------------|
| • WA Grants Commission (State)               | \$227,000 / annum           |
| • Specific Grant (State)                     | \$ 40,000 / annum           |
| • Metropolitan Regional Road Project (State) | \$500,000 / annum (maximum) |
| • Black Spot funding (State & Federal)       | varies                      |
| • Roads to Recovery (Federal)                | \$164,442 / annum           |

**LEGAL/POLICY IMPLICATIONS:**

Nil.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“a) Continue to develop and implement annual road and footpath upgrade programs.”*

**COMMENTS:**

As can be seen from the above, the Roads to Recovery program has provided enormous benefits to the Town in terms of it being able to implement "additional" much needed infrastructure improvement works.

The Town inherited a very run down infrastructure in terms of roads, footpaths, ROWs, etc and considerable expenditure is required over the next ten to fifteen years to carry out the required improvement works.

The Roads to Recovery funding program has assisted in bringing projects forward to assist the Town with its long term infrastructure improvement initiatives.

It is therefore recommended that the Council writes to the Prime Minister, the Deputy Prime Minister, the Local Federal Member, and the Minister for Transport and Regional Services, requesting that they give consideration to the continuation of the Roads to Recovery Program beyond 2005.

### 10.2.4 2003/2004 Bus Shelter Grants Scheme

<b>Ward:</b>	Both	<b>Date:</b>	18 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0028
<b>Reporting Officer(s):</b>	C Wilson		
<b>Checked/Endorsed by:</b>	R Lotznicher		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on the Town's 2003/04 Bus Shelter Grants Scheme submission;*
- (ii) *APPROVES the installation of four (4) Jason Sign Makers type JSc bus shelters, as shown in attachments 10.2.4(i) and 10.2.4(ii), at the sites nominated in the Town's 2003/2004 Bus Shelter Grants Scheme submission, as shown in attachments 10.2.4D, E, F and G, and lists \$20,000 in the 2003/2004 draft budget as the Town's contribution to the project; and*
- (iii) *receives a further report on the outcome of the public consultation for those property owners potentially affected by the installation of the shelters prior to the works proceeding.*

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**COUNCIL DECISION ITEM 10.2.4**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**BACKGROUND:**

In March 2002, the Department for Planning and Infrastructure's (DPI) Metropolitan Infrastructure Directorate invited Local Governments to apply for funding grants under the newly introduced Bus Shelter Grants Scheme. The scheme was launched with the following objective:

*"The Bus Shelter Grants Scheme provides funding assistance of \$500,000 per year to Local Governments in the procurement and installation of bus shelters throughout Western Australia. The scheme's primary aims are to encourage the use of public transport in partnership with Local Government through the provision of suitable facilities for the community."*

The DPI advised that the State Government had committed to funding the scheme to a maximum of \$500,000 per year over four (4) years. The money is available to all Local Governments on the understanding that it is on a 50/50 shared funding basis.

To ensure an even distribution of funds, the DPI imposed a limitation of \$10,000 per shelter (\$5,000 LA / \$5,000 DPI) based upon the cost of commercially produced shelters currently available.

**DETAILS:**

The Council has considered a number of reports over the past year on the Town's participation in the Bus Shelter Grants Scheme Program, with the latest being the Ordinary Meeting held on 27 May 2003, and at which the Council resolved the following.

*That the Council;*

- (i) receives the report on the Department for Planning and Infrastructure's Bus Shelter Grants Scheme;*
- (ii) APPROVES the continued installation of Jason Sign Makers type JSc bus shelters, as shown in attachments 10.2.4(i) and 10.2.4(ii), the attached drawing, in Oxford Street, Leederville, Cleaver Street, West Perth and Bulwer Street, West Perth for the reasons outlined in the report; and in the locations as shown on the attached Plans A, B and C respectively, to be funded from the 2002/2003 budget allocation;*
- (iii) APPROVES in principle the four sites nominated in the Town's 2003/2004 Bus Shelter Grants Scheme submission, as shown on Plans No. D, E, F and G, and lists \$20,000 in the 2003/2004 draft budget as the Town's contribution to the project; and*
- (iv) receives a further report on the outcome of the Town's 2003/2004 submission upon the Town receiving advice from the Department for Planning and Infrastructure.*

To date the Town has successfully installed a new shelter in Fitzgerald Street, North Perth, with a further three (3) to be installed by mid July 2003 in accordance with the above resolution.

In respect of the Town's proposed 2003/04 Bus Shelter Installation Program, DPI have recently advised that the Town was successful in securing a further \$20,000 funding in 2003/04 to continue the program.

The approved locations were as per the Town's submission and as shown on diagrams D, E, F and G.

- Scarborough Beach Road, Mt Hawthorn, intersection of Edinboro Street, adjacent Axford Park (diagram D)
- Newcastle Street, Perth, near Lake Street (diagram E).
- Beaufort Street, Highgate, intersection of Harold Street (diagram F).
- 40 Guildford Road, Mt Lawley, neat Stanley Street (diagram G).

**CONSULTATION/ADVERTISING:**

With regard to the proposed 2003/04 Bus Shelter Installation Program and on the basis of Council's approval, consultation with affected residents would be undertaken in accordance with Council Policy No. 4.1.21 "Community Consultation".

**STRATEGIC IMPLICATIONS:**

In accordance with the aims of Draft Strategic Plan 2002-2007 - Key Result Areas 1.4 *"Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment"*.

**FINANCIAL/BUDGET IMPLICATIONS:**

An allocation of \$20,000 has been included in the 2003/04 'draft' budget for the installation of four (4) bus shelters under the DPI's Bus Shelter Grants Scheme, based upon a 50/50 equal funding arrangement.

**LEGAL/POLICY IMPLICATIONS:**

Nil.

**COMMENTS:**

The Fitzgerald Street, North Perth, installation has proved to be very successful and it is anticipated that there will be a similar positive reaction at the remaining 2002/03 locations.

In respect of the proposed 2003/04 installations, in each instance there is a demonstrated need for a bus shelter. The nominated shelter type, Jason SignMakers type JSc, meets both the DPI's design criteria and the Town's desire to provide enhanced infrastructure for residents.

**10.2.7 Tender for the Supply and Installation of Submersible Pumps, Borehead and Discharge Assemblies - Tender No. 263/03**

<b>Ward:</b>	Both	<b>Date:</b>	10 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0272
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher/M Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by Western Irrigation for the Supply and Installation of Submersible Pumps, Borehead and Discharge Assemblies in accordance with the specifications as detailed in Tender No. 263/03.*

**COUNCIL DECISION ITEM 10.2.7**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the Submersible Pumps, Borehead and Discharge Assemblies for a three (3) year period closed at 2.00pm on 27 May 2003 and seven (7) tenders were received.

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

**DETAILS:**

Details for all submissions received are as per the attachment: -

An evaluation panel consisting of the Executive Manager Technical Services, Manager Parks Services and Supervisor Parks Services assessed the tenders using the selection criteria in accordance with the tender documentation as follows: -

<b><i>Selection Criteria</i></b>	<b><i>Raw Score</i></b>	<b><i>Weighting</i></b>
Contract Price	100	50%
Past Experience in similar projects/work	100	20%
Organisational structure/capacity/resources	100	15%
Financial capacity	100	5%
References	100	5%
Compliance with Tender Specification	100	5%

Maximum raw score x weighting = Total Score.



	<i>Western Irrigation</i>	<i>K S Black</i>	<i>Hydro Engineering</i>	<i>Stirling Irrigation</i>	<i>Statewide Pumps</i>	<i>JLR Pumps</i>	<i>P Rond &amp; Co</i>
Contract Price	43.3	36.8	40.4	50	34.8	34.9	32.8
Past Experience	20	20	16	16	16	12	12
Organisational structure	15	15	12	0	15	0	0
Financial capacity	5	5	5	0	0	0	0
References	5	5	5	5	2.5	5	2.5
Compliance	5	5	5	3.5	3	2.5	2.5
<b>Total</b>	<b>93.3</b>	<b>86.8</b>	<b>83.4</b>	<b>74.5</b>	<b>71.3</b>	<b>54.4</b>	<b>49.8</b>

To accurately assess the price component of this tender two (2) pump installation examples were applied as follows: -

	<i>Example 1</i>	<i>Example 2</i>
Supply and Install	Grundfos SP30/10 Stage	Grimdfps SP 95/8 Stage
Cable	11kw x 20 metres	30kw x 30 metres
Probe	As quoted	As quoted
Cable Conduit	20 metres required	30 metres required
Draw Down Tube	20 metres required	30 metres required
Pump Column	100mm x 20 metres	150mm x 30 metres
Remove existing assembly	As quoted	As quoted
Remove/install pump shroud	As quoted	As quoted
Supply/install induction tube	As quoted	As quoted

Following the evaluation process the tender submitted by Western Irrigation represents the best value and satisfies all the requirements of the tender. Using the two (2) examples above, Western Irrigation were the second lowest in price for both installations.

They currently hold a similar contract at the City of Stirling and are highly regarded.

Hydro Engineering have also been highly recommended, however their pricing structure was slightly higher than the submission by Western Irrigation.

K S Black are the current contractors and have performed very well providing a good service over the past three (3) years. However, their prices are not comparable with other submissions.

Stirling Irrigation's submission was the lowest in price, however their submission lacked the supporting documentation required and therefore did not fully comply with the specification.

The above lack of supporting documentation applied to the remaining submissions from Statewide Pump Services, JLR Pump Services and P Rond & Co.

#### **CONSULTATION/ADVERTISING:**

Tender No. 263/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulation 1996 - Part 4 (15).

#### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. "c) *Continue to design and implement infrastructure improvements for public open space.*"

**FINANCIAL/BUDGET IMPLICATIONS:**

Funding for new pumps would generally be a capital item and therefore listed as part of the capital works budget.

Upon a programmed inspection of a pump (as part of the adopted Pump/Bore Program) it is found that a replacement is required, funding would be sourced from the respective Park Pump/Bore maintenance budget or if additional funding was required be part of a budget review.

**LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

**COMMENTS:**

It is therefore recommended that the Council accepts the tender submitted by Western Irrigation for the Supply and Installation of Submersible Pumps, Borehead and Discharge Assemblies in accordance with the specifications detailed in Tender No. 263/03.

**10.2.8 Tender for the Supply and Laying of Kerbing - Tender No. 270/03**

<b>Ward:</b>	Both	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0280
<b>Reporting Officer(s):</b>	R.Lotznicher		
<b>Checked/Endorsed by:</b>	M.Rootsey		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by Kerbing West Extruded Concrete Kerbing for the Supply and Laying of Kerbing in accordance with the specification as detailed in Tender No. 270/03.*

**COUNCIL DECISION ITEM 10.2.8**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the supply and laying of extruded concrete kerbing for a three (3) year period closed on 27 May 2003 and three (3) tenders were received.

The prices submitted are fixed for twelve (12) months and beyond this price adjustments for CPI and material increases may be negotiated.

**DETAILS:**

Details of all submissions received re as follows:

Description		Unit	<i>Kerbing West Extruded Concrete Kerbing</i>	<i>Works Statewide Kerbing</i>	<i>WA Kerbing</i>
			Rate \$	Rate \$	Rate \$
1.	<b><u>Mountable Kerb</u></b> (a) 30mm / 115mm (face)	Lin. Metre	10.10	9.95	9.80
	(b) 40mm / 100mm (face)	Lin. Metre	9.95	10.95	10.40
	(c) 50mm / 135mm (face)	Lin. Metre	11.10	16.75	11.00

			<i>Kerbing West Extruded Concrete Kerbing</i>	<i>Works Statewide Kerbing</i>	<i>WA Kerbing</i>
<b>2.</b>	<b><u>Barrier Kerb</u></b>				
	(a) 100mm (face)	Lin. Metre	9.80	9.95	10.50
	(b) 150mm (face)	Lin. Metre	10.90	11.00	11.10
	(c) 180mm (face)	Lin. Metre	11.70	12.05	11.35
	(d) 200mm (face)	Lin. Metre	13.10	12.35	11.60
<b>3</b>	<b><u>Semi Mountable</u></b>				
	(a) SM1 (MRWA profile)	Lin. Metre	9.50	11.35	11.00
	(b) SM2 (MRWA profile)	Lin. Metre	10.90	12.45	11.85
<b>4</b>	<b><u>Flush Kerbing</u></b>				
	(a) 300mm x 150mm (with reinforcing N° R12's @ 140 CRA full length of beam)	Lin. Metre	41.00	35.00	33.50
	(b) 300mm x 150mm (with no reinforcing)	Lin. Metre	37.40	-	26.40
<b>5</b>	<b>Hand Make-ups</b>	each	9.35	8.50	6.60
<b>6.</b>	<b>Island Noses up to 2.0m diameter</b>	each	74.00	-	26.00
<b>7.</b>	<b>Pram ramps</b>	each	170.00	-	175.00
<b>8.</b>	<b>Kerbing less than 20 metres (all kerbing types)</b>	Lin. metre	32.00	-	33.80
<b>9.</b>	<b>Additional charge for Automatic Leveling (all kerbing types)</b>	Lin. metre	3.90	-	3.90
<b>10.</b>	<b>Additional charge for additional concrete required (all kerbing types)</b>	Cubic metre	158.00	-	145.00
<b>11.</b>	<b>Additional rate/hour Sunday/public holidays</b>	hour	140.00	-	54.00
<b>12</b>	<b>Additional concrete charge per m3 Sunday/public Holidays</b>	Cubic metre	15.00	-	27.50

### Tender Evaluation

The tenders were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

<i>Selection Criteria</i>	<i>Raw Score</i>	<i>Weighting</i>
Contract Price	100	50%
Past Experience in similar projects/works	100	20%
Organisational structure/capacity/resources	100	15%
Financial capacity	100	5%
References	100	5%
Compliance with Tender Specification	100	5%
		100%

Maximum raw score x weighting = Total Score.

<b>Contractor</b>	<b>Contract Price</b>	<b>Past Performance</b>	<b>Organisational Structure</b>	<b>Financial Capacity</b>	<b>References</b>	<b>Compliance</b>	<b>Total</b>
Kerbing West	48	20	15	5	5	5	98
WA Kerbing	50	19	15	5	3.5	4.25	96.75
Works Statewide Kerbing	25	18	15	5	3.5	1.5	67.5

#### **CONSULTATION/ADVERTISING:**

Tender Number 270/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function & General) Regulations 1996, Part 4 (15).

#### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “*b) Develop and implement streetscape enhancements and wider street initiatives.*”

#### **FINANCIAL/BUDGET IMPLICATIONS:**

Will be funded from 2003/2004 Capital and Operating infrastructure budgets.

#### **LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

#### **COMMENTS:**

Over the past three (3) years, many capital works involving kerbing have been carried out by the Technical Services division, including larger projects such as Walcott Street, Fitzgerald Street, Loftus Street, Vincent Street, Carr Street etc.

Kerbing is usually a key component of almost all road infrastructure upgrade works and the correct programming of these works including the availability of the kerbing contractor, when required, is crucial. On some projects (e.g. on main roads) which require completion in between the clearway hours, the contractor must provide adequate resources in terms of plant and manpower to complete the works on time.

The current contractor, Kerb Qic has performed exceptionally well during this period in terms of reliability, availability of resources, flexible working hours and high quality workmanship.

Unfortunately this company failed to submit a tender this time.

The two main tenderers in contention for the current tender are Kerbing West and WA Kerbing. Works Statewide Kerbing did not supply all the appropriate documentation and is not a contender.

WA Kerbing have submitted the overall lower price although they have not scored the highest score. They are a smaller company with fewer resources and have worked for other Local Governments, i.e. City of South Perth and Town of Victoria Park. They have been in operation for over six (6) years and have provided reference contacts.

However, previous experience with kerbing contractors has shown that fewer resources and sometimes over commitment by a smaller company can lead to delays and cost escalation as kerbing is an integral component of any road project. Kerbing West have more resources and have scored the highest and are only slightly more expensive than WA Kerbing overall, however, some of their rates for the most commonly used kerbing types and works eg semi mountable kerbing, barrier kerbing 100 and 150mm face, pedestrian ramps, small kerbing works etc are less than WA Kerbing.

It is therefore recommended that for the reasons outlined above, the tender for the supply and laying of extruded concrete kerbing be awarded to Kerbing West Extruded Concrete Kerbing.

**10.2.9 Tender for the Supply and Delivery of Sand - Tender No. 269/03**

<b>Ward:</b>	Both	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0279
<b>Reporting Officer(s):</b>	R.Lotznicher		
<b>Checked/Endorsed by:</b>	M.Rootsey		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council rejects the tender submitted by Readymix Holdings Pty Ltd for the Supply and Delivery of Sand and that tenders be recalled.*

**COUNCIL DECISION ITEM 10.2.9**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the supply and delivery of sand for a three (3) year period closed on 27 May 2003 and one (1) tender was received.

**DETAILS:**

Details of the submission received is as follows:

		Readymix Holdings Pty Ltd		
	Description	Silica \$/tonne	Fill \$/tonne	Brickies \$/tonne
1	Supply and Deliver to Works Depot located at Linwood Court Osborne Park	\$37.29	\$8.14	N/A
2	Supply onto Town's vehicle - ex pit	\$33.00	\$3.85	N/A
3	Supply and deliver anywhere within the Town of Vincent	\$38.00	\$8.85	N/A
		Delivery is by semi-trailer (25 tonne minimum load size)		

### **Officers Comments**

The tender submitted by Readymix Holdings Pty Ltd does not include a price for brickies sand. While the Town does not use a large quantity of this material a price was requested. Also the price submitted for silica sand is an increase of \$22.90 / tonne over and above what the Town is currently paying. Sizable quantities of this material is used for brick paving works.

Section 2.2 of the tender Selection Criteria states that

*The prime consideration in the evaluation of received tenders is to be the tender that clearly demonstrates an understanding of the task and represents the best value for money in the Town's opinion.*

*Failure to adequately address all the criteria may result in you offer being eliminated from further consideration.*

Section 2.6 of the tender, Lodgement of Tenders, states that

*Any Tender may be rejected which does not comply with the requirements of the specification or of these Conditions of Tendering or which contains any provisions not required by the Tender documents....*

The Town is not bound to accept the lowest Tender and may reject any or all Tenders submitted.

### **CONSULTATION/ADVERTISING:**

Tender Number 269/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function & General) Regulations 1996, Part 4 (15).

### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. "b) *Develop and implement streetscape enhancements and wider street initiatives.*"

### **FINANCIAL/BUDGET IMPLICATIONS:**

N/A

### **LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

### **COMMENTS:**

Therefore for the reasons outlined in the report it is recommended that the Council rejects the tender submitted by Readymix Holdings Pty Ltd for the Supply and Delivery of Sand and that tenders be recalled.



**10.2.10 Tender for the Construction of Groundwater Bores - Tender No. 262/03**

<b>Ward:</b>	Both	<b>Date:</b>	9 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0271
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher/M Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by Bolan Drilling Co for the Construction of Groundwater Bores in accordance with the specifications as detailed in Tender No. 262/03.*

**COUNCIL DECISION ITEM 10.2.10**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the Construction of Groundwater Bores for a three (3) year period closed at 2.00pm on 27 May 2003 and five (5) tenders were received.

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

**DETAILS:**

Details of all submissions received are as follows:-

Item	Description	<i>Bolan Drilling Co</i>				<i>P Rond &amp; Co.</i>			
		Rotary Rig - Using Bore Casing Sizes				Rotary Rig - Using Bore Casing Sizes			
		80mm	100mm	155mm	200mm	80mm	100mm	155mm	200mm
1	Mobilisation and Demobilisation	\$150.00	\$165.00	\$220.00	\$220.00	\$110.00	\$110.00	\$110.00	\$110.00
2	Drilling cost per metre	\$29.90	\$40.00	\$77.00	\$93.00	\$55.00	\$55.00	\$66.00	\$77.00
3	Casing cost per metre Class 12 installed	\$20.00	\$21.00	\$38.00	\$66.00	\$10.00	13.50	-	-
4	Screen cost per metre in line installed	\$88.00	\$88.00	\$156.00	\$248.00 incl welding	\$99.00	\$99.00	\$176.00	\$209.00
5	PVC Screen adaptors and fitting fitted	\$20.00	\$24.00	\$218.00	\$336.00	\$110.00	\$120.00	\$261.80	\$365.20
6	Gravel packing per 25kg bag installed	\$9.00	\$9.00	\$90.00	\$100.00	\$7.70	\$7.70	\$7.70	\$7.70
7	Development of bore using compressed air per hour	\$80.00	\$88.00	\$90.00	\$100.00	\$66.00	\$66.00	\$88.00	\$88.00
8	Setting of test pump	\$250.00	\$250.00	\$495.00	\$495.00	\$264.00	\$264.00	\$396.00	\$396.00
9	Test pumping per hour	\$65.00	\$65.00	\$65.00	\$65.00	\$66.00	\$66.00	\$77.00	\$77.00
10	Air free water sample and analysis	\$71.00	\$71.00	\$71.00	\$71.00	\$110.00	\$110.00	\$110.00	\$110.00
11	Chlorination of bore	\$50.00	\$50.00	\$50.00	\$50.00	\$55.00	\$55.00	\$55.00	\$55.00
12	Clean up and capping of bore	\$50.00	\$80.00	\$100.00	\$170.00	\$55.00	\$55.00	\$55.00	\$55.00
13	Safety bunting around site	\$100.00	\$100.00	\$100.00	\$100.00	\$55.00	\$55.00	\$55.00	\$55.00

		<i>Western Irrigation</i>				<i>RBM Drilling</i>			
		Rotary Rig - Using Bore Casing Sizes				Rotary Rig - Using Bore Casing Sizes			
Item	Description	80mm	100mm	155mm	200mm	80mm	100mm	155mm	200mm
1	Mobilisation and Demobilisation	\$250.00	\$250.00	\$250.00	\$250.00	\$220.00	\$220.00	\$220.00	\$220.00
2	Drilling cost per metre	\$60.00	\$60.00	\$88.00	\$88.00	\$55.00	\$60.50	\$71.50	\$99.00
3	Casing cost per metre Class 12 installed	\$22.00	\$22.00	\$45.00	\$60.50	\$16.00	\$19.50	\$35.85	\$58.00
4	Screen cost per metre in line installed	\$121.00	\$121.00	\$186.00	\$242.00	\$136.00	\$238.00	\$213.00	\$307.00
5	PVC Screen adaptors and fitting fitted	\$45.00	\$45.00	\$280.00	\$395.00	\$7.50	\$60.00	\$210.00	\$303.00
6	Gravel packing per 25kg bag installed	\$13.20	\$13.20	\$13.20	\$13.20	\$8.00	\$8.00	\$8.00	\$8.00
7	Development of bore using compressed air per hour	\$99.00	\$99.00	\$99.00	\$99.00	\$80.00	\$80.00	\$88.00	\$99.00
8	Setting of test pump	\$720.00	\$720.00	\$720.00	\$720.00	\$200.00	\$220.00	\$440.00	\$440.00
9	Test pumping per hour	\$93.50	\$93.50	\$93.50	\$93.50	\$55.00	\$55.00	\$55.00	\$55.00
10	Air free water sample and analysis	\$93.50	\$93.50	\$93.50	\$93.50	\$99.00	\$99.00	\$99.00	\$99.00
11	Chlorination of bore	\$110.00	\$110.00	\$110.00	\$110.00	\$80.00	\$80.00	\$100.00	\$100.00
12	Clean up and capping of bore	\$88.00	\$175.00	\$198.00	\$210.00	\$100.00	\$100.00	\$150.00	\$200.00
13	Safety bunting around site	\$165.00	\$165.00	\$165.00	\$165.00	\$100.00	\$100.00	\$100.00	\$100.00

		<i>Stirling Irrigation</i>			
		Rotary Rig - Using Bore Casing Sizes			
Item	Description	80mm	100mm	155mm	200mm
1	Mobilisation and Demobilisation	\$110.00	\$110.00	\$110.00	\$110.00
2	Drilling cost per metre	\$43.00	\$43.00	\$86.00	\$100.00
3	Casing cost per metre Class 12 installed	\$12.00	\$14.00	\$33.00	\$94.00
4	Screen cost per metre in line installed	\$31.00	\$165.00	\$202.00	\$292.00
5	PVC Screen adaptors and fitting fitted	\$88.00	\$185.00	\$283.00	\$363.00
6	Gravel packing per 25kg bag installed	\$13.00	\$13.00	\$13.00	\$13.00
7	Development of bore using compressed air per hour	\$66.00	\$66.00	\$66.00	\$66.00
8	Setting of test pump	\$550.00	\$550.00	\$550.00	\$550.00
9	Test pumping per hour	\$61.00	\$61.00	\$61.00	\$61.00
10	Air free water sample and analysis	-	-	-	-
11	Chlorination of bore	\$66.00	\$66.00	\$66.00	\$66.00
12	Clean up and capping of bore	\$110.00	\$110.00	\$110.00	\$110.00
13	Safety bunting around site	\$55.00	\$55.00	\$55.00	\$55.00

An evaluation panel consisting of the Executive Manager Technical Services, Manager Parks Services and Parks Services Technical Officer assessed the tenders using the selection criteria in accordance with the tender documentation as follows: -

<i>Selection Criteria</i>	<i>Raw Score</i>	<i>Weighting</i>
Contract Price	100%	50%
Past Experience in similar projects/works	100%	20%
Organisational structure/capacity/resources	100%	15%
Financial capacity	100%	5%
References	100%	5%
Compliance with Tender Specification	100%	5%

Maximum Raw Score x Weighting = Total Score

	<b>Bolan Drilling</b>	<b>Western Irrigation</b>	<b>P Rond</b>	<b>RBM Drilling</b>	<b>Stirling Irrigation</b>
Contract Price	46.5	30.4	50	43.9	45.1
Past Experience in similar projects/works	20	20	16	16	16
Organisational structure/capacity/resources	15	15	7.5	7.5	0
Financial capacity	4.5	5	0	0	0
References	5	5	0	5	5
Compliance with Tender Specification	4	5	2.5	3	2.5
<b>Total</b>	<b>95</b>	<b>80.4</b>	<b>76</b>	<b>75.4</b>	<b>68.6</b>

To assess the contract price component of this tender a borehole of the standard most required by the Town was costed as an example: -

Diameter	200mm
Depth	35 metres
Screen	9 metres
Developing	10 hours
Test Pump	5 hours
Gravel Packing	10 bags

Bolan Drilling submission is the second lowest in price and they have complied with all the requirements of the specification. The Company currently holds this contract with the Town and have provided a very reliable and professional service. They currently hold a similar contract with the City of Stirling where they are also highly regarded.

The tender submitted by P Rond & Co was the lowest in price, however the submission lacks the supporting documentation as required in the tender specification. The submission received is very basic and also does not address the selection criteria in any manner.

Both the tenders submitted by RBM Drilling and Stirling Irrigation respectively also do not provide supporting documentation or address the selection criteria comprehensively as requested. Their cost for construction of a standard bore as listed above is also considerably higher than the other submissions received.

The submission received from Western Irrigation comprehensively addresses the specification and selection criteria, however the cost is approximately \$650.00 higher for a standard bore as noted above.

**CONSULTATION/ADVERTISING:**

Tender No. 262/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulation 1996 - Part 4 (15).

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“c) Continue to design and implement infrastructure improvements for public open space.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

New bores are generally budgeted for as part of a capital redevelopment project and hence are included in the overall budget item for a particular project.

It is difficult to predict when an existing bore will fail. Should this occur, funding would normally be provided as part of a budget review.

**LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

**COMMENTS:**

It is therefore recommended that the Council accepts the tender submitted by Bolan Drilling Co for the Construction of Groundwater Bores in accordance with the Specifications as detailed in Tender No. 262/03.

**10.2.11 Tender for the Maintenance of Bores, Pumps and Associated Works -  
Tender No. 264/03**

<b>Ward:</b>	Both	<b>Date:</b>	9 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0273
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher/M Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by K S Black (WA) Pty Ltd for the Maintenance of Bores, Pumps and Associated Works in accordance with the specifications as detailed in Tender No. 264/03.*

**COUNCIL DECISION ITEM 10.2.11**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the Maintenance of Bores, Pumps and Associated Works for a three (3) year period closed at 2.00pm on 27 May 2003 and six (6) tenders were received.

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

**DETAILS:**

Details of all submissions received are as follows: -

Pump Bore No	Reserve	<i>K.S. Black (WA)</i>	<i>Western Irrigation</i>	<i>JLR Pumps</i>	<i>Hydroquip Pumps</i>	<i>Statewide Pump Services</i>	<i>Hydro Engineering</i>
		Price \$	Price \$	Price \$	Price \$	Price \$	Price \$
1	ELLESMERE ST RESERVE	825.00	1628.00	605.00	445.50	2100.00	990.00
2	MENZIES PARK	825.00	1628.00	605.00	445.50	2460.00	990.00
3	LES LILLEYMAN RESERVE	825.00	1628.00	726.00	445.50	2460.00	990.00
4	KYILLA PARK	825.00	1628.00	726.00	445.50	2100.00	990.00
5	WOODVILLE RESERVE	660.00	1628.00	605.00	445.50	1500.00	990.00
6	NTH. PERTH. TENNIS CLUB	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES
7	DORRIEN GARDENS	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES

		<i>K.S. Black (WA)</i>	<i>Western Irrigation</i>	<i>JLR Pumps</i>	<i>Hydroquip Pumps</i>	<i>Statewide Pump Services</i>	<i>Hydro Engineering</i>
8	LITIS STADIUM	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES
9	LEEDERVILLE TENNIS CLUB	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES
10	KEITH FRAME RESERVE	715.00	1628.00	726.00	445.50	2460.00	990.00
11	LEEDERVILLE OVAL	715.00	1628.00	605.00	445.50	1400.00	990.00
12	PERTH OVAL	770.00	1820.00	-	445.50	2760.00	990.00
13	AXFORD PARK	660.00	1628.00	605.00	445.50	1400.00	990.00
14	EDINBORO ST RESERVE	770.00	1628.00	640.00	445.50	3160.00	990.00
15	AUCKLAND / HOBART RES.	660.00	1628.00	640.00	445.50	1500.00	990.00
16	BRAITHWAITE PARK	660.00	1554.20	605.00	445.50	2500.00	990.00
17	SCARB / BONDI / MAIN ST	770.00	2025.00	640.00	445.50	2460.00	990.00
18	FORREST PARK	660.00	1628.00	726.00	445.50	2460.00	990.00
19	BRIGATTI GARDENS	660.00	1628.00	605.00	445.50	1500.00	990.00
20	DORRIEN GARDENS	LEASED PREMISED	LEASED PREMISED	LEASED PREMISED	LEASED PREMISED	LEASED PREMISED	LEASED PREMISED
21	PERTH OVAL	770.00	1628.00	680.00	445.50	1740.00	1089.00
22	BIRDWOOD SQUARE	660.00	1628.00	640.00	445.50	1740.00	990.00
23	HYDE PARK	825.00	1624.00	640.00	445.50	1740.00	990.00
24	HYDE PARK	825.00	1630.00	640.00	445.50	1740.00	990.00
25	HYDE PARK	825.00	1628.00	605.00	445.50	1400.00	990.00
26	ROBERTSON PARK	715.00	1560.00	640.00	445.50	3100.00	990.00
27	MICK MICHAEL RESERVE	715.00	1628.00	640.00	445.50	1500.00	990.00
28	CHARLES VERYARD RES.	770.00	1628.00	640.00	445.50	2100.00	990.00
29	HYDE PARK	825.00	1628.00	640.00	445.50	2460.00	990.00
30	BRITANNIA RD RESERVE	770.00	1750.00	640.00	445.50	2460.00	990.00
31	ROBERTSON PARK	715.00	1628.00	605.00	445.50	3460.00	990.00
32	BEATTY PARK RESERVE	660.00	1628.00	640.00	445.50	2460.00	990.00
33	STUART ST RESERVE	660.00	1540.00	550.00	445.50	2000.00	990.00
34	SMITH'S LAKE RESERVE	660.00	1628.00	640.00	445.50	1740.00	990.00
35	LEAKE/ALMA ST RESERVE	660.00	1490.00	605.00	445.50	1260.00	902.00
36	HYDE PARK	715.00	1750.00	605.00	445.50	2460.00	990.00
37	OXFORD ST RESERVE	660.00	1628.00	550.00	445.50	1500.00	902.00
38	BANKS RESERVE	825.00	1628.00	605.00	445.50	1400.00	990.00
39	FORREST PK BOWLING CLUB	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES	LEASED PREMISES
40	BRITANNIA RD RESERVE	715.00	1750.00	605.00	445.50	1500.00	990.00

		<i>K.S. Black (WA)</i>	<i>Western Irrigation</i>	<i>JLR Pumps</i>	<i>Hydroquip Pumps</i>	<i>Statewide Pump Services</i>	<i>Hydro Engineering</i>
41	BRENTHAM ST RESERVE	715.00	1628.00	605.00	445.50	1400.00	990.00
42	BANKS RESERVE	660.00	1628.00	550.00	445.50	1400.00	902.00
43	MULTICULTURAL GARDEN	660.00	1628.00	550.00	445.50	1500.00	902.00
44	WORKS DEPOT	770.00	1628.00	550.00	445.50	1400.00	902.00
45	BROWNES DAIRY	660.00	1550.00	-	445.50	1740.00	880.00
46	IVY PARK	440.00	1550.00	385.00	246.40	900.00	880.00
47	LYNTON ST RESERVE	440.00	1480.00	385.00	246.40	900.00	880.00
48	CHARLES / WALCOTT ST RES	440.00	1350.00	385.00	246.40	900.00	880.00
49	BRISBANE / WADE ST RES.	440.00	1350.00	385.00	246.40	900.00	880.00
50	LOFTUS ST STREETSCAPE	440.00	1350.00	385.00	246.40	900.00	880.00
51	STIRLING / BRISBANE ST RES	440.00	1350.00	385.00	246.40	900.00	880.00
52	ALBERT / ANGOVE VERGE	440.00	1350.00	385.00	246.40	1200.00	880.00
53	THE AVENUE CARPARK	440.00	1350.00	385.00	246.40	900.00	880.00

	<i>K.S. Black (WA)</i>	<i>Western Irrigation</i>	<i>JLR Pumps</i>	<i>Hydroquip Pumps</i>	<i>Statewide Pump</i>	<i>Hydro Engineering</i>
REQUIREMENT	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)
PERCENTAGE OF LIST PRICE						
The Tendered percentage to be added or deducted from a manufacturer's Retail List Price for parts that are required to be replaced.	Deduct	Deduct	Add / Deduct	Deduct	Add/Deduct	Add/Deduct
GRUNDFOS	7.5%	10%	-5%	10%	10% Deduct	Retail %
LOWARA	7%	10%	-	15%	10% Add	10% Deduct
METCALF (Turbomaster)	5%	10%	-	5%	10% Deduct	Retail %
OTHER EQUIVALENT	5%	-	-	10%	10% Deduct	N/A

	<i>K.S. Black (WA)</i>	<i>Western Irrigation</i>	<i>JLR Pumps</i>	<i>Hydroquip Pumps</i>	<i>Statewide Pump</i>	<i>Hydro Engineering</i>
REQUIREMENT	Rate (Incl. GST) \$/hr	Rate (Incl. GST) \$/hr	Rate (Incl. GST) \$/hr	Rate (Incl. GST) \$/hr	Rate (Incl. GST) \$/hr	Rate (Incl. GST) \$/hr
PUMP MAINTENANCE RIG (TWO MEN)	77.00	95.00	77.00	66.00	88.00	93.50
ONSITE WORKS (ONE MAN)	42.90	55.00	35.00	38.50	44.00	46.20
ELECTRICIAN	44.00	55.00	40.00	49.50	44.00	60.00

**Schedule of Rates Per kg/litre for Developing**

	<i>K.S. Black (WA)</i>	<i>Western Irrigation</i>	<i>JLR Pumps</i>	<i>Hydroquip Pumps</i>	<i>Statewide Pump Services</i>	<i>Hydro Engineering</i>
REQUIREMENT	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)	Rate (Incl. GST)
WORKSHOP FITTER \$/hr	42.90	55.00	35.00	35.00	44.00	46.20
MOBILISE / DEMOBILISE CABLE TOOL DRILLING RIG \$/site	110.00	220.00	110.00	55.00	200.00	165.00
CABLE TOOL BORE DEVELOPMENT \$/hr	52.80	85.00	45.00	55.00	77.00	66.00
AIR SURGE BORE DEVELOPMENT \$/hr	66.00	95.00	45.00	55.00	66.00	93.50
ADDITIONAL WATER ANALYSIS \$/test	68.20	125.00	75.00	45.00	88.00	77.00
FLOW TEST \$/test	93.50	165.00	66.00	100.00	132.00	108.00

An evaluation panel consisting of the Executive Manager Technical Services, Manager Parks Services and Supervisor Parks Services assessed the tenders using the selection criteria in accordance with the tender documentation as follows: -

<i>Selection Criteria</i>	<i>Raw Score</i>	<i>Weighting</i>
Contract Price	100%	50%
Past Experience in similar projects/works	100%	20%
Organisational structure/capacity/resources	100%	15%
Financial capacity	100%	5%
References	100%	5%
Compliance with Tender Specification	100%	5%

Maximum Raw Score x Weighting = Total Score

	<i>KS Black</i>	<i>Hydro Quip</i>	<i>Western Irrigation</i>	<i>Hydro Engineering</i>	<i>Statewide Pump</i>	<i>JLR Pumps</i>
Contract Price	40	45	30	35	30	45
Past Experience	20	16	20	16	16	12
Organisational structure	15	15	15	9	15	0
Financial capacity	5	0	5	5	0	0
References	5	5	5	5	5	5
Compliance	5	3	5	3	3	2.5
<b>Total</b>	<b>90</b>	<b>84</b>	<b>80</b>	<b>73</b>	<b>69</b>	<b>64.5</b>

Following the evaluation process, the submission by KS Black represents the best value and comprehensively addresses all components of the tender specification. KS Black currently undertakes similar pump, bore works at the Town and have provided excellent service and assistance to staff when information is required.

The submission by Western Irrigation is the only other submission to comprehensively address the selection criteria and specification, however their higher price for the majority of works has not scored them well.

The remaining four (4) submissions from Hydro Quip, Hydro Engineering, Statewide Pumps and JLR Pumps, have not complied with the specification as requested nor have they provided the required supporting documentation.



Hydro Quip Pumps who has provided the lowest price for works at respective reserves have quoted only two (2) separate prices which indicates that they may not have fully investigated or have a full appreciation of the required works.

**CONSULTATION/ADVERTISING:**

Tender No. 264/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulation 1996 - Part 4 (15).

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. “c) *Continue to design and implement infrastructure improvements for public open space.*”

**FINANCIAL/BUDGET IMPLICATIONS:**

Maintenance costs for bores and pumps are sourced from the respective Reserve Pump/Bore operating budgets.

A pump/bore maintenance program has been developed and funds are allocated as per the program adopted by Council on 11 February 2003.

**LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

**COMMENTS:**

It is therefore recommended that the Council accepts the tender submitted by KS Black (WA) Pty Ltd for the Maintenance of Bores, Pumps and Associated Works in accordance with the specifications as detailed in Tender No. 264/03.

**10.2.12 Tender for Clearing and Mowing of Specified Areas - Tender No. 261/03**

<b>Ward:</b>	Both	<b>Date:</b>	9 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0277
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	Rick Lotznicher/M Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by B & M Industrial Horticulturists for the Clearing and Mowing of Specified Areas within the Town in accordance with the specifications as detailed in Tender No. 261/03.*

**COUNCIL DECISION ITEM 10.2.12**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the Clearing and Mowing of Specified Areas, in accordance with the Bush Fires Act 1954), throughout the Town for a three (3) year period closed at 2.00pm on 27 May 2003 and five (5) tenders were received.

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

**DETAILS:**

Details of all submissions received are listed below: -

**Clearing/Mowing Council Blocks/Rights of Way**

	<b>B &amp; M Industrial Horticulturists</b>		<b>A Better Class Lawns &amp; Gardens</b>		<b>Jim's Mowing - South Leeming</b>	
	Week days Hourly Rates	Weekend Hourly Rates	Week days Hourly Rates	Weekend Hourly Rates	Week days Hourly Rates	Weekend Hourly Rates
Labour - including plant	\$84.70 (2 men)	\$92.07 (2 men)	\$77.00 (2 men)	\$77.00 (2 men)	\$44.00 (1 man)	\$44.00 (1 man)
Tipping fees (cost per tonne)	\$23.30	\$23.30	\$40.00	\$40.00	\$55.00	\$55.00

	<b>Manicured Lawns</b>		<b>Environmental Industries</b>	
	Week days Hourly Rates	Weekend Hourly Rates	Week days Hourly Rates	Weekend Hourly Rates
Labour - including plant	\$86.90 (2 men)	\$86.90 (2 men)	\$42.50 (1 man)	\$47.80 (1 man)
Tipping fees (cost per tonne)	\$36.30	\$36.30	\$18.50	\$18.50

**Clearing/Mowing of Council Verges**

	<b>B &amp; M Industrial Horticulturists</b>		<b>A Better Class Lawns &amp; Gardens</b>		<b>Jim's Mowing - South Leeming</b>	
	Week days Hourly Rates	Weekend Hourly Rates	Week days Hourly Rates	Weekend Hourly Rates	Week days Hourly Rates	Weekend Hourly Rates
Labour - including plant (2 men)	\$69.30	\$76.67	\$88.00	\$88.00	\$44.00	\$44.00
Tipping fees (cost per tonne)	\$23.30	\$23.30	\$40.00	\$40.00	\$55.00	\$55.00

	<b>Manicured Lawns</b>		<b>Environmental Industries</b>	
	Week days Hourly Rates	Weekend Hourly Rates	Week days Hourly Rates	Weekend Hourly Rates
Labour - including plant (2 men)	\$99.00	\$99.00	\$39.50	\$44.44
Tipping fees (cost per tonne)	\$36.30	\$36.30	\$18.50	\$18.50

An evaluation panel consisting of the Manager Parks Services, Supervisor Parks Services and Parks Services Technical Officer assessed the tenders using the selection criteria in accordance with the tender documentation as follows: -

<b>Selection Criteria</b>	<b>Raw Score</b>	<b>Weighting</b>
Contract Price	100	50%
Past Experience in similar projects/works	100	20%
Organisational structure/capacity/resources	100	15%
Financial capacity	100	5%
References	100	5%
Compliance with Tender Specification	100	5%

Maximum raw score x weighting = Total Score

	<b>B &amp; M Industrial Horticulturists</b>	<b>Environmental Industries</b>	<b>Manicured Lawns</b>	<b>A Better Class Lawns &amp; Gardens</b>	<b>Jim's Mowing - South Leeming</b>
Contract Price	50	49.4	41.2	43.5	36.4
Past Experience in similar projects/works	20	16	18	20	16
Organisational structure/capacity/resources	13.5	15	15	13.5	15
Financial capacity	5	5	5	0	0
References	5	5	5	2.5	2.5
Compliance with Tender Specification	5	4	4	3	3.5
<b>TOTAL</b>	<b>98.5</b>	<b>94.4</b>	<b>88.2</b>	<b>82.5</b>	<b>73.4</b>

In assessing the contract price component of this tender and ensuring the evaluation of the submissions was fair, it was decided that a two (2) man team and equipment would be a basis for the assessment.

In reality, the work required would require a minimum of a two man team.

Overall, the prices submitted were fairly even when taking into account the various work options that may be required.

The Clearing/Mowing of Specified Areas, particularly unsealed rights of way is a difficult job that varies considerably dependent on the seasonal rains, weed growth and rubbish dumped in a particular area.

Therefore, it is not easy to determine an exact number of hours to complete all of the work or an exact tonnage of material to be disposed of.

Following the evaluation process, the tender submitted by B & M Industrial Horticulturists represents the best value and suited to the requirements.

The Company have comprehensively complied with the tender specification and have recently undertaken this type of work at the Town of Cambridge.

Environmental Industries currently hold many maintenance contracts throughout the metropolitan area, however are more suited to finer turf care.

Manicured Lawns who are the current contractor to the Town, are slightly higher in price and have not always performed to the required standard.

Both the submissions from 'A' Better Class Lawns and Jim's Mowing - South Leeming, lack the supporting documentation as required the specification.

**CONSULTATION/ADVERTISING:**

Tender No. 261/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulation 1996 - Part 4 (15).

**STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL/BUDGET IMPLICATIONS:**

Clearing and Mowing costs are sourced from the following operating accounts: -

- Verge maintenance
- Rights of way (Fire hazards)
- Clearing Council Blocks

**LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

**COMMENTS:**

It is therefore recommended that the Council accepts the tender submitted by B & M Industrial Horticulturists for the Clearing and Mowing of Specified Areas in accordance with the specifications as detailed in Tender No. 261/03.

**10.2.13 Tender for the Pruning of Street Trees Using Elevating Work Platforms  
- Tender No. 265/03**

<b>Ward:</b>	Both	<b>Date:</b>	9 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher/M Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by Erinbush Investments for the Pruning of Street Trees Using Elevating Work Platforms in accordance with the specifications as detailed in Tender No. 265/03.*

**COUNCIL DECISION ITEM 10.2.13**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

Tenders for the pruning of street trees throughout the Town for a three (3) year period closed at 2.00pm on the 27 May 2003 and three (3) tenders were received.

Of the three (3) tenders, one (1) tender was deemed non-conforming and therefore was no longer considered.

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

**DETAILS:**

Details of the two (2) conforming tenders received are listed below.

	Description	<i>Erinbush Investments</i> Cost (\$)	<i>Trees Need Tree Surgeons</i> Cost (\$)
SCHEDULE (I)	Pruning operations for trees below power lines, including disposal of prunings. Pruning criteria A, B, C, D, E, F	27.50 per tree	27.50 per tree
SCHEDULE (II)	Pruning operations for trees not located below power lines, including disposal of prunings. Pruning criteria B, D, E, F, G	13.20 per tree	12.10 per tree
SCHEDULE (III)	Extra work as specified, including disposal of prunings	115.00 p/hr 2 men squirrel truck & chipper	165.00 p/hr plus any tree over 7m tall to add price of cherry picker hire to hourly rate.

An evaluation panel consisting of the Manager Parks Services, Supervisor Parks Services and Parks Services Technical Officer assessed the tenders using the selection criteria in accordance with the tender documentation as follows: -

<b>Selection Criteria</b>	<b>Raw Score</b>	<b>Weighting</b>
Contract Price	100	50%
Past Experience in similar projects/work	100	20%
Organisational structure/capacity/resources	100	15%
Financial capacity	100	5%
References	100	5%
Compliance with Tender Specification	100	5%

Maximum raw score x weighting = Total Score.

	<b>ErinBush Investments</b>	<b>Trees Need Tree Surgeons</b>
Contract Price	50	47.1
Past Experience in similar projects/work	20	15
Organisational structure/capacity/resources	15	15
Financial capacity	2.5	5
References	5	2.5
Compliance with Tender Specification	4.5	5
	<b>97</b>	<b>89.6</b>

Following the evaluation process, the tender submitted by Erinbush Investments has been identified as the best value for money and most suitable for the Town's requirements.

Erinbush Investments have undertaken this work within the Town for the past six (6) years and performed to the required standard.

Reference checks with another Local Authority have verified that they have experienced similar issues with this Contractor.

#### **CONSULTATION/ADVERTISING:**

Tender No 265/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulation 1996-Part 4 (15).

#### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintenance and Enhance the Town's Infrastructure to Provide a Safe, Healthy, Sustainable and Functional Environment. *“(d) Develop and implement streetscape enhancement and wider street initiatives.”*

#### **FINANCIAL/BUDGET IMPLICATIONS:**

Street Tree Pruning costs are sourced from the Street Trees operating budget.

#### **LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

#### **COMMENTS:**

It is therefore recommended that the Council accepts the Tender submitted by Erinbush Investments for the Pruning of Street Trees Using Elevating Work Platforms in accordance with the specifications as detailed in Tender No. 265/03.

**10.3.1 Financial Statements as at 31 May 2003**

<b>Ward:</b>		<b>Date:</b>	13 June 2003
<b>Precinct:</b>		<b>File Ref:</b>	
<b>Reporting Officer(s):</b>	Natasha Forsyth		
<b>Checked/Endorsed by:</b>	Mike Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Financial Reports for the month ended 31 May 2003 be received.*

**COUNCIL DECISION ITEM 10.3.1**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

The Local Government Act and Local Government (Financial Management) Regulations 1996 require monthly reports and quarterly financial reports to be submitted to Council. The Financial Statements attached are for the month ended 31 May 2003.

**DETAILS:**

The Financial Statements comprise:

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

**Operating Statement and Detailed Summary of Programmes/Activities**

The Operating Statement shows revenue and expenditure by Programme whereas the Summary of Programmes/Activities provides detail to Programme/Sub Programme level. Both reports compare actual results for the period with the Budget.

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

### **Operating Revenue**

Operating revenue is currently showing 90% of the Budget received to date.

### **General Purpose Funding (Page 2)**

General Purpose Funding is showing 99% of the budget received to date, this is due to rates being levied and the general purpose grants having been received.

### **Health (Page 4)**

Health is showing 98% of the budget received to date. This is due to Health Licences being issued.

### **Community Amenities (Page 6)**

Community Amenities is showing 97% of the budget received to date. This is due to bin charges being invoiced. The distribution from the Mindarie Regional Council was received in November.

### **Transport (Page 11)**

Transport is showing 103% of the budget received to date.

### **Economic Services (Page 12)**

Economic Services is showing 87% of the budget received to date.

### **Other Property and Services (Page 13)**

Other Property and Services in this report is 144% of budget. Higher than anticipated recoup of workers compensation and general insurance claims have occurred.

### **Operating Expenditure**

Operating expenditure for the month is level with Budget (92%).

### **Law, Order & Public Safety (Page 3)**

The fourth quarterly instalment of the Fire Services contribution has been paid

### **Education & Welfare (Page 5)**

Water rates have been paid on the properties in the Town.

### **Recreation & Culture (Page 7)**

Water rates have been paid on properties, parks and reserves in the Town.

### **Capital Expenditure Summary (Pages 15 to 25)**

The Capital Expenditure summary details projects included in the 2002/03 budget and reports the original budget and compares actual expenditure to date against these. Capital works show total expenditure for the year to date of \$6,591,994, which is 49% of the budget.

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

This statement is in essence the Balance Sheet of the Town as at 31 May 2003 and shows current assets of \$13,644,648 less current liabilities of \$1,773,430, for a current position of \$11,871,219. Total non-current assets amount to \$96,809,551 for total net assets of \$108,384,464.

### **Restricted Cash Reserves (Page 28)**

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



Transfers of interest occurs as it is earned and investments mature. The amounts funded for the Municipal Fund are transferred on a monthly basis. Contributions received, which are transferred to Reserves occur at the end of month during which the cash contribution is received. To the 31st May 2003, interest of \$310,847 was transferred. Transfers to Reserves totalled \$2,776,557 and transfers from Reserves amounted to \$2,034,192. Restricted cash reserves total \$7,583,703 at the end of May 2003.

## **Debtors and Rates Financial Summary**

### **General Debtors (Page 29)**

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

Sundry Debtors of \$582,619 are outstanding at the end of May. Of this \$37,371 (6%) relates to debts outstanding for over 60 days. The Debtor Report identifies significant balances that are well overdue.

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

### **Rate Debtors**

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

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

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

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

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

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

**10.3.2 Authorisation of Expenditure for the Period 01 May - 31 May 2003**

<b>Ward:</b>		<b>Date:</b>	4 June 2003
<b>Precinct:</b>		<b>File Ref:</b>	
<b>Reporting Officer(s):</b>	P Forte		
<b>Checked/Endorsed by:</b>	N Russell		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That;*

- (i) *the Schedule of Accounts for the period 1 May – 31 May 2003 be confirmed and the list of payments as laid on the table be included in the Minutes;*
- (ii) *direct lodgement of payroll payments to the personal bank account of employees be confirmed and be included in the Minutes;*
- (iii) *direct lodgement of PAYG taxes to the Australian Taxation Office be confirmed and be included in the Minutes;*
- (iv) *direct lodgement of Child Support to the Australian Taxation Office be confirmed and included in the Minutes;*
- (v) *direct lodgement of creditors payments to the individual bank accounts of creditors be confirmed and included in the Minutes; and*
- (vi) *direct lodgement of Superannuation to Local Government and City of Perth superannuation plans be confirmed and included in the Minutes.*

**COUNCIL DECISION ITEM 10.3.2**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**DECLARATION OF INTEREST**

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

**BACKGROUND:**

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

**DETAILS:**

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

<b>FUND</b>	<b>CHEQUE NUMBERS/ PAY PERIOD</b>	<b>AMOUNT</b>
<b>Municipal Account</b>		
Town of Vincent Advance Account	EFT	\$500,000.00
	EFT	\$522,566.55
	EFT	\$500,000.00
	EFT	\$708,490.06
<b>Total Municipal Account</b>		<b>\$2,231,056.61</b>
<b>Advance Account</b>		
Automatic Cheques	43082-43096, 43098-43208, 43210-43219, 43221-43262, 43264-43423	\$784,408.61
Manual Cheques		\$0.00
Transfer of Creditors by EFT Batch 95-104		\$951,415.48
Australia Post Lease Equipment	May 2003	\$311.77
Transfer of Payroll by EFT	May 2003	\$412,028.05
Transfer of PAYG Tax by EFT	May 2003	\$128,643.47
Transfer of Child Support by EFT	May 2003	\$624.46
Transfer of Superannuation by EFT City of Perth	May 2003	\$21,299.75
Local Government	May 2003	\$100,986.54
<b>Total Advance Account</b>		<b>\$2,399,718.13</b>
<b>Bank Charges &amp; Other Minor Debits</b>		
Bank Charges – CBA		\$3,364.59
Lease Fees		\$1,169.32
Corporate MasterCards		\$1,390.42
<b>Total Bank Charges &amp; Other Minor Debits</b>		<b>\$5,924.33</b>
<b>Less GST effect on Advance Account</b>		<b>-\$50,471.20</b>
<b>Total Payments</b>		<b>\$4,586,227.87</b>

**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.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 – Key Result Area 4.5(a)

“Develop short term (5 year) and medium term (10 year) financial plans, linked to the strategic plan and principal activities plan (include the investment portfolio, current assets, and debt free status).”

**ADVERTISING/CONSULTATION:**

Nil.

**10.4.1 Coronial Inquest Findings into the Drowning Incident at Beatty Park Leisure Centre on 25 January 2002**

Ward:	South	Date:	16 June 2003
Precinct:	-	File Ref:	CMS0078
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-		
Amended by:	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) *RECEIVES the report on the drowning incident which occurred at Beatty Park Leisure Centre on Friday 25 January 2002;*

(ii) *NOTES that the Coronial Inquest findings dated 6 June 2003 as "Laid on the Table";*

(a) *records the death of Rebecca Brentnall to be an accident;*

(b) *makes the following three recommendations;*

1. *The Department of Community Development, Community Services (Outside School Hours Care) Regulations 2002 with respect to the supervision of children expected to become legislation in August 2003 be facilitated;*

2. *The review of the draft of the updated Health Department Regulations with respect to community water activities be facilitated; and*

3. *The Royal Life Saving Society continue with its public awareness drive to ensure adults in the community understand supervision of children in the water must be both direct, competent and alert; and*

(c) *include the Deputy State Coroner, Evelyn Vicker SM, comments;*

*"I was impressed with the level of commitment and caring by both organisations [YMCA of Perth Inc and Beatty Park Leisure Centre - as operated by the Town of Vincent] over the fact of Rebecca's death.*

*Both organisations thoroughly examined their operating procedures and policies and have gone to great lengths to implement any suggestion or recommendation they felt would assist them in providing better care for their users and patrons, irrespective of whether or not it was relevant to the circumstances of this case."*

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**COUNCIL DECISION ITEM 10.4.1**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**BACKGROUND:**

At the Ordinary Meeting of the Council held on 13 May 2003, the Council considered Progress Report No 2 and resolved as follows:

*"That the Council;*

- (i) RECEIVES the Progress Report No 2 on the incidents which occurred at Beatty Park Leisure Centre on Friday 25 January 2002 and Wednesday 6 February 2002;*
- (ii) NOTES that a Coronial Inquest into the death of Rebecca Brentnall will be held on 19 May 2003 and that the Chief Executive Officer, John Giorgi, Manager-Beatty Park Leisure Centre, Centre Supervisor and two Lifeguards have been summonsed to give evidence at the Inquest; and*
- (iii) ENDORSES the action of the Chief Executive Officer to instruct solicitors to represent the Town at the Inquest."*

It was previously reported that two (2) serious incidents occurred at Beatty Park Leisure Centre involving a tragic child drowning and a near drowning of a 22 year old male in January and February 2002.

The Coronial Inquest was held from 19-21 May 2003, before Deputy State Coroner, Evelyn Vicker. The Town's Chief Executive Officer and legal representation attended all three days of the Inquiry and the Town's Officers attended to give evidence as required.

The Deputy State Coroner released her findings on 6 June 2003 and a copy is "Laid on the Table".

**FINANCIAL/BUDGET IMPLICATIONS:**

Legal representation at the Inquest, together with pre-meetings cost \$13,162. The previous legal costs were approximately \$12,000.

**LEGAL IMPLICATIONS:**

It is pleasing that the Coroner has found that Rebecca Brentnall's death was an accident and that she was impressed by the actions by Beatty Park Leisure Centre and the Town. There was no criticism or adverse findings against any of the Town's individuals, Beatty Park Leisure Centre or the Town.

No further action relating to this matter is anticipated and the Town's Insurers have been advised of the outcome.

**COMMENT:**

The Coroner's findings confirm the Chief Executive Officer's own conclusions which were reported in the Town's extensive Inquiry which was carried out following both incidents. This confirms that the Centre Staff acted in a professional and competent manner and followed the correct emergency procedures.

### 10.4.3 Information Bulletin

<b>Ward:</b>	-	<b>Date:</b>	18 June 2003
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Reporting Officer(s):</b>	A Smith		
<b>Checked/Endorsed by:</b>	J Giorgi		
<b>Amended by:</b>	-		

**RECOMMENDATION:**

*That the Information Bulletin dated 24 June 2003, as distributed with the Agenda, be received.*

### COUNCIL DECISION ITEM 10.4.3

Moved Cr Lake, Seconded Cr Torre

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**DETAILS:**

The items included in the Information Bulletin dated 24 June 2003 are as follows:

ITEM	DESCRIPTION
IB01	Letter to Town Planning Appeals Tribunal - Appeal No 73 of 2003 - No 133 (Lot 42) Scarborough Beach Road, Mt Hawthorn
IB02	Letter from Department of Land Administration re Naming of Reserves - Jack Marks Park and Multicultural Federation Garden
IB03	Letter from Minister for Environment and Heritage dated 4 June 2003 re Waste Management and Recycling Fund - Recovery Rebate Scheme
IB04	Notification from Western Power Regarding Installation of Underground Power between Switch Yard in East Perth and Zone Substation in Cook Street, West Perth
IB05	Western Australian Government Railways - Launch of Inaugural Transwa express Newsletter
IB06	Letter of Appreciation from Aranmore Catholic College and Aranmore Catholic Primary School - Centenary Year Celebrations
IB07	Letter to Dudley Maier, 51 Chatsworth Road, Highgate - Response to Questions Taken on Notice at Ordinary Meeting of Council held on 10 May 2003
IB08	Municipal Waste Advisory Council - Bulletin - Container Deposit Legislation

**11.4 Notice of Motion – Councillor Sally Lake - Public Briefing on the Report of the Independent Organisational Review 2003**

*That the Independent Organisational Review briefing session to be held on 1 July 2003 be open to the public and that the Chief Executive Officer write to all Precinct and Business groups informing them of this.*

**Moved Cr Lake, Seconded Cr Franchina**

*That the motion be adopted.*

*Debate ensued.*

**Moved Cr Farrell, Seconded Cr Chester**

*That the motion be amended by inserting the words "for Elected Members, Executive Managers and Managers, and that a further briefing session" following "1 July 2003", " and inserting the words "be held at the earliest convenience after 1 July 2003" following the word "public", as follows;*

*"That the Independent Organisational Review briefing session to be held on 1 July 2003 for Elected Members, Executive Managers and Managers and that a further briefing session open to the public be held at the earliest convenience after 1 July 2003, and that the Chief Executive Officer write to all Precinct and Business groups informing them of this."*

**AMENDMENT CARRIED (6-2)**

**For**  
Mayor Catania  
Cr Chester  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Torre

**Against**  
Cr Franchina  
Cr Lake

(Cr Ker on approved leave of absence.)

**MOTION AS AMENDED CARRIED (6-2)**

**For**  
Mayor Catania  
Cr Chester  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Torre

**Against**  
Cr Franchina  
Cr Lake

(Cr Ker on approved leave of absence.)

**COUNCIL DECISION ITEM 11.4**

*That the Independent Organisational Review briefing session to be held on 1 July 2003 for Elected Members, Executive Managers and Managers and that a further briefing session open to the public be held at the earliest convenience after 1 July 2003, and that the Chief Executive Officer write to all Precinct and Business groups informing them of this.*



**10.1.16 Nos. 596-598 (Lot 116) Newcastle Street, Corner Loftus Street, West Perth - Proposed Signage (Billboards) and Associated Retaining Walls and Landscaping**

<b>Ward:</b>	South	<b>Date:</b>	10 June 2003
<b>Precinct:</b>	Cleaver, P5	<b>File Ref:</b>	PRO 0799; 00/33/1562
<b>Reporting Officer(s):</b>	J Barton		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

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

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality with respect to the protection and enhancement of the social, physical and cultural environment of Newcastle Street, Loftus Street and the Cleaver Precinct; and*
- (ii) the non-compliance with the Town's Policy relating to 'Signs and Advertising;*

*the Council REFUSES the application submitted by WA Billboards on behalf of the owner G Cerini, for the proposed signage (billboards) and associated retaining walls and landscaping at Nos. 596-598 (Lot 116) Newcastle Street, corner Loftus Street, West Perth, as shown on the plans stamp-dated 28 March 2003.*

**Moved Cr Cohen, Seconded Cr Doran-Wu**

*That the recommendation be adopted.*

*Debate ensued.*

**COUNCIL DECISION ITEM 10.1.16**

**Moved Cr Cohen, Seconded Cr Lake**

*That this item be DEFERRED for further investigation and report, with regard to alternative options including the options of access via Newcastle Street, and requesting Main Roads WA to approve access via the rear of the lot.*

*Debate ensued.*

**CARRIED (6-2)**

**For**  
Mayor Catania  
Cr Chester  
Cr Cohen  
Cr Farrell  
Cr Franchina  
Cr Lake

**Against**  
Cr Doran-Wu  
Cr Torre

**(Cr Ker on approved leave of absence.)**

**LANDOWNER(S):** G Cerini  
**APPLICANT(S):** WA Billboards  
**ZONING:** Metropolitan Region Scheme - Urban  
Town Planning Scheme No. 1 - Commercial  
**EXISTING LAND USE:** Vacant Single House

**COMPLIANCE:**

Use Class	Signage
Use Classification	'Unlisted'
Lot Area	641 square metres

**SITE HISTORY:**

The subject land has been the subject of a dispute between the landowner, and the then Main Roads Western Australia and Ministry for Planning. A portion of the property was resumed by Main Roads Western Australia as part of the Loftus Street Duplication Project.

24 February 1997 A Health Notice was served on the subject property declaring the house unfit for human habitation.

19 November 2002 Council at its Ordinary Meeting resolved to grant conditional Planning Approval for the demolition of the existing house and refused the Planning Application for signage (billboards) and associated retaining walls and landscaping on the subject property.

26 November 2002 The applicant submitted a new application for the proposed retaining walls, landscaping and signage. The proposal was similar to the previous application refused by the Council on 19 November 2002, however, the applicant submitted an addendum to the application.

17 December 2002 Council resolved to refuse the abovementioned proposal for the same reasons as the previous application.

28 March 2003 Subject application received.

**DETAILS:**

The applicant seeks approval to erect two billboards, including the associated site excavation, retaining walls and landscaping, at the corner of Vincent Street and Loftus Street.

The proposal will result in the creation of two billboards being 12.0 metres by 3.0 metres, which will be attached to limestone retaining walls approximately 5.0 metres high, created by demolition of the building and excavation of the site to approximate street level. The balance of the property will be landscaped, grassed and reticulated.

The subject proposal is similar to that refused by the Council at its Ordinary Meeting held on 17 December 2002, however, the size of the larger billboard has been reduced from 18 metres by 4 metres, to 12 metres by 3 metres, and the bulk and size of the limestone retaining walls have also been reduced, or replaced by visually permeable fencing. Additionally, the applicants also propose to retain the existing mature trees onsite, and plant new trees behind the proposed signage to provide a green backdrop.

The Applicant provided the following (summarised) information in support of the new proposal:

- *Lot Pt 116 still has a resumption order outstanding on the lot, although Main Roads WA may drop this at a later stage. No time frame has been advised to the owner.*
- *The site currently has no vehicular access to the lot and access to the north of the site has been refused by the Department of Planning and Infrastructure, the current owners of the land.*
- *The redevelopment of the site is an interim proposal until the final road development and land resumption is finalised.*
- *Main Roads WA supports the redevelopment as it will bring the intersection back into line with their current policies on viewing lines thru intersection.*
- *The Cleaver Precinct Action Group has viewed the plans and now support the new proposal.*
- *The adjoining landowner advised that they have no objection.*
- *WA Billboards will maintain the signs, gardens and grounds for the life of the project.*
- *A new boundary fence in heritage style and colours will be erected, final colours and styles to be selected in consultation with the Cleaver Precinct Action Group.*

#### **CONSULTATION/ADVERTISING:**

The application was advertised to the adjoining landowners, for a period of 14 days, from 14 April 2003 to 28 April 2003.

Two submissions were received during the advertising period. These submissions are summarised below.

The Health Department of Western Australia raised concerns over the potential damage to the adjoining property as a result of the associated excavation and retaining works.

The Department of Planning and Infrastructure raises no objection to the proposal, as the proposal does not encroach within the Other Regional Roads Reservation, or result in the provision of vehicular access to/from Loftus Street.

The Cleaver Precinct Action Group previously objected to the proposed billboards, as the proposed signage would set a precedent in the area, distract drivers and detrimentally impact on the amenity of the area. However, given that the applicants have reduced the size of the signs and retaining walls, and increased the provision of landscaping on-site, three quarters of the Cleaver Precinct Action Group support the revised proposal.

The applicant previously submitted correspondence from Main Roads Western Australia dated 17 July 2002 in response to the proposal. The following information was contained within that response:

*"All considered, Main Roads is prepared to support the concept provided that:*

- *The applicant/owner provides adequate setback from the motorists line of sight through the traffic signals to the nearest edge of the billboard.*
- *The billboards do not display advertising which by virtue of colour or content may confuse the motorist or imitate the traffic signals or road signs.*
- *Advertising content shall not contain material (by reasonable definition) that may be offensive to the public or cause unacceptable levels of distraction.*
- *Billboard sizes are in keeping with standard industry sizes and are found by Main Roads and Council to be suitable for this site.*

*The specifics of this indicative approval will be subject to review once the Town of Vincent has been approached and if Council formally approves the application."*

**COMMENTS:**

The subject signage is proposed to be utilised by outside parties and is not in any way related to the use of the subject site. The sign constitutes a billboard and is considered to be a form of bill posting. The proposed signage does not comply with the Town's Policy relating to 'Signs and Advertising' as billboards/bill posting is not permitted and as it exceeds more than 10 percent of the total area of the wall in which that signage is located. The Policy states that *"no signage is permitted on fences, walls or the like structures which do not form an integral part of the building"*. It follows that signage is not permitted as the predominant use of the land, and should be associated with and be ancillary and incidental to, the predominant use of the land.

It is acknowledged that the development possibilities of the site are limited and that any future development on the site should encourage excavation in order to improve vehicular sight lines. However, the site forms an effective 'gateway' into the Town and there is a concern that the presence of such signage within the Town and in particular, on a prominent entry point into the Town, imposes an undesirable and inaccurate image of the municipality. Although the applicants have reduced the size of one of the signs, the proposed signage is still considered large and obtrusive, does not complement the area and will create a significant adverse impact on the amenity of the streetscape and the area generally.

Accordingly, it is recommended that the proposed signage and associated excavation, retaining and landscaping again be refused for the reasons outlined above.

This resolution reflects and reiterates the Town's consistent approach and strong position in recent years, including favourable Town Planning Appeal Tribunal outcomes, in relation to billboard signage within the Town.

**10.1.2 Further Report - No. 86 (Lot 3) Forrest Street, North Perth – Proposed Two Storey Single House**

<b>Ward:</b>	South	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Norfolk, P10	<b>File Ref:</b>	PRO1765; 00/33/1526
<b>Reporting Officer(s):</b>	S Crawford		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**FURTHER OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Noonan on behalf of the owners C and V Sebatino for proposed two storey single house at No. 86 (Lot 3) Forrest Street, North Perth and as shown on the plans 29 April 2003, subject to:*

- (i) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) *subject to first obtaining the consent of the owners of No. 84 (Lot 2) Forrest Street, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 84 (Lot 2) Forrest Street, in a good and clean condition;*
- (iii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Forrest Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development;*
  - (a) *the north facing window to upper level Bedrooms 3;*
  - (b) *the eastern and western elevations of the upper level balcony; and*
  - (c) *the north facing window to upper level Bedroom 2;*

*shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees;*
- (v) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

- (vi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following;*
- (a) *a minimum 6.0 metres deep reversing and manoeuvrability being provided between the rear of the garage and the northern side of the right of way for vehicular access; and*
  - (b) *the first floor front setback being 6.0 metres.*
- The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (vii) *prior to the first occupation of the development, the full length and width of the right of way from Norfolk Street to the western most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s) full expense;*
- (viii) *a bond or bank guarantee for \$5500 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (ix) *standard visual truncations, in accordance with the Town's Policies and to the satisfaction of Town's Technical Services Division, shall be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (x) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (xi) *a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (xii) *the construction of crossovers shall be in accordance with the Town's specifications; and*
- (xiii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- to the satisfaction of the Chief Executive Officer.*

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**Moved Cr Doran-Wu, Seconded Cr Lake**

*That the recommendation be adopted.*

*Debate ensued.*

**Cr Torre departed the Chamber at 7.38pm.**

*Debate ensued.*

**Cr Torre returned to the Chamber at 7.40pm.**

*Debate ensued.*

**Cr Chester departed the Chamber at 6.53pm.**

*Debate ensued.*

**Moved Cr Doran-Wu, Seconded Cr Lake**

*That clauses (vii) and (viii) of the above recommendation be deleted, and the following clauses be renumbered accordingly.*

*Debate ensued.*

**AMENDMENT CARRIED (7-0)**

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

**Moved Cr Doran-Wu, Seconded Cr Cohen**

*That clause (iv) be amended as follows:*

*"(iv) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development;*

*(a) the north facing window to upper level Bedrooms 3;*

*(b) the eastern and western elevations of the upper level balcony; and*

*(c) the north facing window to upper level Bedroom 2;*

*shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees.*

***As an alternative to clause (b) above, mature vegetation shall be planted to effectively screen the eastern elevation of the subject balcony prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s), and details of the vegetation shall be submitted to and approved by the Town prior to the issue of a Building Licence;"***

*Debate ensued.*

**AMENDMENT CARRIED (6-1)**

**For**  
Mayor Catania  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Torre

**Against**  
Cr Lake

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

Cr Chester returned to the Chamber at 7.56pm.

Several Councillors queried the wording of the actual amendment.

**Moved Cr Doran Wu, Seconded Cr Cohen**

*That the item be recommitted for reconsideration as there was confusion amongst Elected Members on the wording of the amendment.*

**CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**Moved Cr Doran-Wu, Seconded Cr Cohen**

*That clause (vi) (b) of the above recommendation be deleted.*

*Debate ensued.*

**AMENDMENT CARRIED (6-2)**

**For**

Mayor Catania  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Torre

**Against**

Cr Chester  
Cr Lake

(Cr Ker on approved leave of absence.)

**Moved Cr Doran-Wu,**

*That clause (iv) be amended as follows:*

*"(iv) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development;*

*(a) the north facing window to upper level Bedrooms 3;*

*(b) the eastern and western elevations of the upper level balcony; and*

*(c) the north facing window to upper level Bedroom 2;*

*shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees.*

**As an alternative to clause (b) above, mature vegetation shall be planted to effectively screen the eastern elevation of the subject balcony prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s), and details of the vegetation shall be submitted to and approved by the Town prior to the issue of a Building Licence;"**

**There was no Seconder and therefore the Motion lapsed.**



**Moved Cr Lake, Seconded Cr Chester**

*Delete clause (iv) (b) and insert a new clause (iv) (b) as follows;*

*"(iv)(b) that lattice be an acceptable screening for the western elevation of the upper balcony and that no screening be required for the eastern elevations of the upper level balcony; and*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**COUNCIL DECISION ITEM 10.1.2**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Noonan on behalf of the owners C and V Sebatino for proposed two storey single house at No. 86 (Lot 3) Forrest Street, North Perth and as shown on the plans 29 April 2003, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) subject to first obtaining the consent of the owners of No. 84 (Lot 2) Forrest Street, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 84 (Lot 2) Forrest Street, in a good and clean condition;*
- (iii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 20 metres. The solid portion of any new front fences and gates adjacent to Forrest Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development;*
  - (a) the north facing window to upper level Bedrooms 3;*
  - (b) that lattice be an acceptable screening for the western elevation of the upper balcony and that no screening be required for the eastern elevations of the upper level balcony; and*
  - (c) the north facing window to upper level Bedroom 2;*

*shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees;*

- (v) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (vi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating a minimum 6.0 metres deep reversing and manoeuvrability being provided between the rear of the garage and the northern side of the right of way for vehicular access; and*  
*The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (vii) *standard visual truncations, in accordance with the Town's Policies and to the satisfaction of Town's Technical Services Division, shall be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (viii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (ix) *a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (x) *the construction of crossovers shall be in accordance with the Town's specifications; and*
- (xi) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*

*to the satisfaction of the Chief Executive Officer.*

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#### **FURTHER REPORT:**

The Council at its Ordinary Meeting held on 10 June 2003 considered the subject application and resolved that *"this item be DEFERRED to the next Meeting for further investigation and report, with regard to the additional information provided by the applicant at 4.55pm today"*.

The proposal seeks variations to the Residential Design Codes (R Codes) with respect to privacy, as detailed in the previous report (Item 10.1.8). In support of these variations, the applicant submitted additional details immediately prior to the previous Ordinary Meeting of Council held on 10 June 2003 for consideration. The additional details consisted of a covering letter and supporting photographs. As a result of the late submission of these details, the application was deferred pending review of these documents. It should be noted that these photographs reflected those already submitted with the application.

The issue of privacy and cone of vision requirements was considered in the previous report. The subject proposal affects the two side neighbours at Nos. 84 and 88 Forrest Street, North Perth. Both these neighbours had signed letters of no objection, which accompanied the application. However, these consents were subsequently withdrawn in writing from these neighbours in separate written submissions to Council. The neighbour at No. 84 Forrest Street (eastern neighbour) raised objections on privacy grounds in relation to Bedroom 3 and the balcony. The owner of No. 88 Forrest Street (western neighbour) did not raise specific objections, as this owner wanted the applicant to confirm the variations to her in writing. As the Town have duly advertised the proposal and the neighbour was aware of this, and the fact that plans were available for inspection, it is not the role of the Town to facilitate such interaction between the owners. However, as it stands there is one valid objection and one non-consent to the proposal.

The applicant is seeking variation of the requirements under the performance criteria incorporated in the R Codes. Consideration of development using the performance criteria still seeks to avoid direct overlooking between active habitable spaces/rooms and outdoor living areas with the following considerations;

- where adjacent windows are located to habitable rooms on adjacent development;
- the provision of effective screening; and
- the lesser need to prevent overlooking of extensive back gardens, front gardens or areas visible from the street.

A review of the previous recommendation with respect to privacy will be addressed in light of these performance criteria and as requested by the applicant.

#### **Front Balcony**

With respect to the upper level front balcony, the potential for overlooking exists to the neighbour at No. 88 Forrest Street. This site has been strata titled and two units exist. The front portion of this site (unit 1) accommodates a patio structure and partially open courtyard provision. This area is the predominant provision of outdoor living space for this dwelling. As such, the ability of the front balcony to overlook and provide a sense of being overlooked is considered a likely outcome, coupled with the fact that the neighbour has not consented to the waiving of screening requirements. As such, it is considered that the western elevation of this balcony (in addition to the eastern elevation as stated in the previous clause/condition (iv) (b) of the Officers Recommendation) should be screened. As per the previous report, no screening was proposed to the western elevation.

#### **Bedroom 2 North Facing Window**

Previously the recommendation did not include a condition to screen the subject window, as no specific objection has been raised by the neighbour, just a removal of consent to the proposal.

From the photographs submitted by the applicant, the vegetation demonstrated along the western boundary of the property consists of two thin tree like shrubs with very little foliage and a larger tree with dense foliage, with the latter being proposed to be removed as part of the proposal. As such, there is considered to be no screening to this side boundary. On the basis that consent has not been provided by the neighbour, and that potential overlooking created from Bedroom 2's window to the open spaces surrounding units 1 and 2 of No. 88 Forrest Street, it is considered that an appropriate screening condition should be imposed.

### **Bedroom 3 North Facing Window**

The previous recommendation included a screening condition for this window. As the affected neighbour has specifically objected to the bedroom window, there is no justification to consider a variation to the R Codes. As such, it is considered that the previous condition/clause (iv) (a) should remain.

In addition, the applicant submits that it is their intention to plant pencil pines to reinstate privacy. Such planting is considered to provide limited additional privacy due to the nature of the species and the duration they will take to grow. Therefore, this measure is not considered to be effective screening, which is the test of the performance criteria. On this basis, this option is not considered to be a viable alternative to the required fixed obscured form of screening required under the R Codes.

In light of the above, the previous conditional approval Officer Recommendation remains unchanged, except for amendments to the previous condition/clause (iv) to address the above matters.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 10 June 2003:

#### *"OFFICER RECOMMENDATION:*

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Noonan on behalf of the owners C and V Sebatino for proposed two storey single house at No. 86 (Lot 3) Forrest Street, North Perth and as shown on the plans 29 April 2003, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) subject to first obtaining the consent of the owners of No. 84 (Lot 2) Forrest Street, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 84 (Lot 2) Forrest Street, in a good and clean condition;*
- (iii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Forrest Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development;*
  - (a) the north facing window to upper level Bedrooms 3; and*
  - (b) the eastern elevation of the upper level balcony;*

*shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*

- (v) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (vi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following;*
  - (a) *a minimum 6.0 metres deep reversing and manoeuvrability provision being provided between the rear of the garage and the northern side of the right of way for vehicular access; and*
  - (b) *the first floor front setback being 6.0 metres.*

*The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (vii) *prior to the first occupation of the development, the full length and width of the right of way from Norfolk Street to the western most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s) full expense;*
- (viii) *a bond or bank guarantee for \$5500 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (ix) *standard visual truncations, in accordance with the Town's Policies and to the satisfaction of Town's Technical Services Division, shall be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (x) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (xi) *a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (xii) *the construction of crossovers shall be in accordance with the Town's specifications; and*
- (xiii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s) full expense.*

*to the satisfaction of the Chief Executive Officer.*

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*Moved Cr Doran-Wu, Seconded Cr Ker*

*That the recommendation be adopted.*

*Debate ensued.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Doran-Wu, Seconded Cr Farrell

*That this item be DEFERRED to the next Meeting for further investigation and report, with regard to the additional information provided by the applicant at 4.55pm today.*

CARRIED (6-0)

*(Councillors Chester, Cohen and Torre on approved leave of absence.)*

LANDOWNER: C and V Sebatino  
 APPLICANT: T Noonan  
 ZONING: Metropolitan Region Scheme: Urban  
 Town Planning Scheme No.1: Residential R40  
 EXISTING LAND USE: Single House

COMPLIANCE:

<i>Use Class</i>	<i>Single House</i>	
<i>Use Classification</i>	<i>"P"</i>	
<i>Lot Area</i>	<i>455 square metres</i>	
<i>Requirements</i>	<i>Required</i>	<i>Proposed</i>
<i>Setbacks</i>		
<i>Front – upper level</i>	<i>6.0 metres</i>	<i>5.5 metres</i>
<i>Eastern side ground level</i>	<i>1.5 metres</i>	<i>1.2 metres</i>
<i>Eastern side upper level</i>	<i>1.8 metres</i>	<i>Minimum 1.2 metres</i>
<i>Western side ground level</i>	<i>1.5 metres</i>	<i>1.2 metres</i>
<i>Western side upper level</i>	<i>1.9 metres</i>	<i>1.2 metres</i>
<i>Cone of Vision – Upper Level</i>		
<i>Front balcony</i>	<i>7.5 metres to eastern and western boundaries</i>	<i>1.2 metres to eastern boundary 4.515 metres to western boundary</i>
<i>Bedroom 2 north facing window</i>	<i>4.5 metres</i>	<i>2.2 metres to western boundary</i>
<i>Bedroom 3 north facing window</i>	<i>4.5 metres</i>	<i>2.2 metres to eastern boundary</i>
<i>Manoeuvring</i>	<i>6.0 metres to far side of right of way</i>	<i>5.5 metres</i>

SITE HISTORY:

*The subject site is occupied by a single storey dwelling.*

*The Council at its Ordinary Meeting of 7 May 2001 granted conditional approval for the demolition of the existing dwelling.*

*On 31 March 2003, a subsequent application for demolition was approved under Delegated Authority.*

*There is a privately owned unsealed 4.5 metres wide Right of Way to the rear of the property.*

#### **CONSULTATION/ADVERTISING:**

*The proposal was advertised and a number of submissions were received.*

*One submission is from the property owner to the west of the subject site who had previously signed a letter of no objection to accompany the application based on the understanding that the proposal is compliant with the statutory provisions. This neighbour has since been made aware of the variations the proposal seeks and withdraws their non objection and requests that the applicant provides all requirements to her. As the owner has been made aware of the proposal through the required Community Consultation procedure and the applicant was made aware that a copy of the plans were available for inspection, it is not the Town's role to facilitate such further interaction between owners.*

*The applicant has provided the signatures of the owners of Nos. 84 and 88 Forrest Street stating they have no objection to the proposed upper level windows and balcony with respect to cone of vision considerations.*

*The owner of No. 84 Forrest Street subsequently wrote to the Town and withdrew his previous consent. This owner objects to the reduced setback to the eastern side for the perceived impact on light to his western windows and the impact construction will have on his 100 year old dwelling. In addition, objection was raised to Bedroom 3 and the balcony's ability to overlook his premises. The owner also raises concerns with respect to legal boundaries.*

*The objections will be addressed in the relevant sections of the report. However, it should be noted that development is only approved on the subject application lot, and any concerns with respect to correct boundaries are a civil matter between neighbours.*

#### **DETAILS:**

*Approval is sought for the construction of a two storey single house.*

#### **COMMENTS:**

##### **Setbacks**

##### *Front – Upper Level*

*The Residential Design Codes (R Codes) permits front setbacks to be 4.0 metres from the property boundary. However, the Town's Policy relating to the Alma Locality requires that a 6.0 metres setback be provided to an upper level. A review of Forrest Street indicates that single storey residences predominate the area. As such, it is considered that there is little precedence under which to consider the reduced upper level front setback in relation to the existing streetscape. On this basis, it is considered reasonable that the upper level should be required to comply with the Town's Policy.*

##### *Eastern Side Ground Level Setback*

*The R Codes require a 1.5 metres setback be achieved for the dwelling to the eastern boundary, whereas the applicant seeks a reduced setback of 1.2 metres. No major openings are contained within this elevation and no undue overshadowing will be caused to the affected neighbour, due to the location of north in relation to the proposal. These factors address the concerns of the affected neighbour. On this basis, the reduced setback is considered acceptable.*

*Eastern Side Upper Level Setback*

*The R Codes require a setback of 1.8 metres based on the length, height and lack of major openings to the subject wall. The applicant seeks a reduced setback of a minimum of 1.2 metres with this increasing to a maximum setback of 2.0 metres.*

*Again, the reduced setback proposed will not cause privacy issues to the affected neighbour, and again no undue overshadowing will result. As such, no objection is raised to the reduced setback.*

*Western Side Ground Level Setback*

*Similar to the eastern side setback of the dwelling, the R Codes require a 1.5 metres setback to the boundary for the subject wall, whereas the applicant seeks a reduced setback to 1.2 metres. This elevation contains major openings, however due to their location at ground level there will be no privacy issues arising. In addition, due to the location of north in relation to the proposal no undue overshadowing will result to the affected neighbour. The proposal is not considered to have any undue impact on the amenity of the neighbour, who has provided their consent, and therefore can be supported.*

*Western Side Upper Level Setback*

*The R Codes require this wall to be setback 1.9 metres from the boundary, whereas the applicant seeks a 1.2 metres setback. The elevation does not contain any major openings to habitable rooms, with major openings being restricted to wet areas. Once again, no privacy concerns are raised by the proposal and no undue overshadowing will result. As such, the proposal can be supported.*

*Cone of Vision*

*Front Balcony*

*The upper level balcony is setback 5.5 metres from the front boundary. The two adjacent dwellings sit further forward of the subject proposal respectively. As such, the openings to both side boundaries incorporated in the balcony design are considered to raise privacy issues to the two affected neighbours, as the setbacks do not meet the R Code requirements. The western neighbour has provided their consent to this situation, however it is considered suitable to require screening of the remaining eastern balcony elevation as a condition of approval.*

*Bedrooms 2 and 3 – North Facing Windows*

*The subject windows face to the rear of the site, however when applying the cone of vision principles overlooking is created to the each side neighbour respectively. The windows are only setback 2.2 metres from each boundary whereas a setback of 4.5 metres would be required to be compliant. The western neighbour has provided their consent to this situation, however it is considered suitable to require screening of Bedroom 3's northern facing window as a condition of approval.*

*Manoeuvring*

*A 6.0 metres reversing depth is required from the end of the garage to the far side of the right of way. In the proposal, it appears that the applicant only achieves a 5.5 metres reversing span. As such, it is necessary to require compliance with this requirement via a condition of approval.*

*The proposal is generally supportable as it is not considered to unreasonably adversely affect the amenity of the adjacent properties or the streetscape of the area. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters."*



**10.2.1 Fairfield Street Traffic and Parking Issues**

<b>Ward:</b>	North Ward	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Mt Hawthorn P1 & Mt Hawthorn Centre P2	<b>File Ref:</b>	TES0240/PKG0093
<b>Reporting Officer(s):</b>	R Lotznicher		
<b>Checked/Endorsed by:</b>	-		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on Fairfield Street Traffic and Parking issues;*
- (ii) *APPROVES the implementation of the following actions as endorsed by the Local Area Traffic Management Advisory Group at its meeting held on 23 March 2003;*
  - (a) *The Town's Officers liaise with the Paddington Ale House management, to discuss how the Ale House can educate its patrons by way of flyers and announcements as to the car parking available, noise, litter and other reported behavioural issues;*
  - (b) *Installs more prominent signage to the existing carparks, i.e. Flinders Street and Hobart Street parking areas, as shown on attached Plan No. 2168-CP-2;*
  - (c) *Undertakes an audit of the Town's existing carparks in the vicinity of the Paddington Ale House with a view to improving (where warranted) the level of lighting, pavement surface and line marking;*
  - (d) *Investigates upgrading the level of street lighting in Fairfield Street between Scarborough Beach Road and Anzac Road;*
  - (e) *Investigates relocating the existing taxi rank from Fairfield Street to Scarborough Beach Road (as shown on attached Plan No. 2168-CP-2) and for the Paddington Ale House to provide security staff to control the crowd during peak times;*
  - (f) *Upon implementation of part or all of the above actions, the Town, in consultation with Hotel management and local Police, continue to monitor the situation;*
- (iii) *APPROVES the implementation by the Town of the following actions as endorsed by the Community at the Community Forum held on 9 June 2003;*
  - (a) *Implements improved No Standing demarcation lines adjacent to driveways in Fairfield Street;*
  - (b) *Extends the existing parking restrictions in Fairfield Street (as shown on attached Plan No. 2168 CP-2) subject to consultation with affected residents, and the matter being considered by Council at the conclusion of the consultation period should any adverse comments be received;*

- (c) *Liaises with the Paddington Ale House to restrict charter bus parking in surrounding streets other than Scarborough Beach Road and Hobart Street (adjacent to the parking area);*
- (d) *Prepares and distributes a flyer to Fairfield Street residents advising them of phone numbers for Police and Rangers - normal and after hours service;*
- (e) *Installs a barrier fence on the Scarborough Beach Road frontage of the Ale House, as shown on attached Plan No. 2173 CP-1, to contain Ale House patrons and improve safety, at a cost of \$6,300, to be funded from the 2003/2004 Mt Hawthorn Streetscape budget allocation;*
- (iv) *receives a further report on the effectiveness or otherwise of the above initiatives approximately one (1) month after all proposals as outlined have been implemented; and*
- (v) *advises the Police Service, Paddington Ale House and Fairfield Street residents of its resolution.*

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**COUNCIL DECISION ITEM 10.2.1**

**Moved Cr Lake, Seconded Cr Chester**

*That the recommendation be adopted.*

*Debate ensued.*

**Cr Franchina departed the Chamber at 8.01pm.**

**CARRIED (7-0)**

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

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**BACKGROUND:**

In early 2003, the following two (2) petitions were received regarding traffic and parking issues in Fairfield Street Mt Hawthorn

<b>Date</b>	<b>Petition</b>	<b>No of Signatories</b>	<b>Author</b>
10/02/03	Petition requesting the top of Fairfield Street, between the private residences and commercial properties, be made into an exit-only (to Scarborough Beach Road), one-way vehicle restriction.	35	24 Fairfield St Mt Hawthorn
10/02/03	Petition requesting the current 1 hour parking restriction in Fairfield Street (between Scarborough Beach Road and Anzac Road) be changed to Resident Only parking	36	24 Fairfield St Mt Hawthorn

Further, a notice of Motion from Cr Chester and Cr Doran Wu was considered by the Council at its Ordinary meeting held on 25 February 2003, where the following resolution was adopted.

*“That the Council;*

- (i) refers the area of Fairfield Street, Mt Hawthorn, between Anzac Road and Scarborough Beach Road, to the Local Area Traffic Management (LATM) Advisory Group to consider the traffic management matters detailed in the petitions presented at the Ordinary Meeting of Council held on the 11 February 2003;*
- (ii) APPROVES the LATM Advisory Group to conduct a community forum (with residents, the owner of the Paddington Ale House and Police) to consider the best possible solution to the residents’ traffic management concerns; and*
- (iii) NOTES that the Town's Rangers and Environmental Health Officers are investigating the various matters relating to noise from patrons, littering, alleged malicious damage to property and violent behaviour and are strictly enforcing the parking restrictions in Fairfield Street.”*

In accordance with clause (i) of the Council's resolution, the matter was discussed at the Local Area Traffic Management Advisory Group meeting held on 24 March 2003. In addition, in accordance with clause (ii) of the Council's resolution, a community forum with residents, the owners of the Paddington Ale House and the Police Service, was held at the Mt Hawthorn Community Centre on 9 June 2003.

#### **DETAILS:**

##### **LATM Meeting 24 March 2003**

The following matters/issues were discussed at the above meeting relating to Fairfield Street and the author of the Fairfield Street petitions was invited to attend the meeting.

It was determined that a large proportion of traffic in Fairfield Street is generated by residents. Based on a conservative estimate of 8 vehicle movements per day per dwelling, this equates to approximately 272 vehicle trips per day. (Recorded volumes between 363 and 850 vehicle movements per day.)

Anti-social behaviour is displayed by a small minority of Hotel patrons.

Some of the anti-social behaviour can be attributed to drunken/unsuitable persons having been turned away by the Hotel security staff then venting their anger or frustration in the street. The publican, in recognition of the community's concerns, had also arranged for litter/rubbish to be collected from surrounding streets each morning, not all of which could be attributed to the Hotel patrons. The Paddington Ale House was also currently reviewing its strategic plan including issues such as crowd management.

It was considered that the problem with anti-social behaviour and noise late on Saturday and Friday nights could be attributed to the taxi drivers' practice of not stopping at the cab rank in Fairfield Street but choosing to pick-up passengers further down the street. They did this to avoid the rush and/or fights at the cab rank by competing passengers.

The consequences of a full or partial road closure in Fairfield Street immediately adjacent the southern boundary of the Hotel was discussed.

This included the impact upon surrounding streets and the inconvenience of the access restrictions upon the residents themselves. It was, however, made clear that any solution could not rely on shifting the problem elsewhere.

The issue of parking control and enforcement in Fairfield Street and the need to provide *Residents Only* parking restrictions, using Anzac Road and the Oxford Hotel, was discussed, however, it was considered not appropriate in that location as rear garaging and off road parking was readily available

The Mt Hawthorn Plaza carpark to the rear of the shopping centre was suggested as a suitable parking location for Hotel patrons, however, it was advised that as the Mt Hawthorn Plaza carpark was private, the Town could not be seen to be encouraging its use.

Enforcement was discussed and statistics were produced to verify that Rangers had visited Fairfield Street on a regular basis (average four [4] times daily) and had issued cautions and infringements where warranted. Also, it was not considered practical to station a Ranger in Fairfield Street on Friday and Saturday nights as suggested.

It was proposed that the LATM Advisory Group consider some practical solutions to address the residents' concerns in lieu of *Residents Only* parking and that the LATM Advisory Group look at ways to better manage the existing carparks in the vicinity of the Hotel by means of:

- Educating the patrons of the Hotel by way of flyers and announcements as to car parking availability.
- Better, more prominent signage to the existing carparks, i.e. Flinders Street and Hobart Street parking areas.

The following is a summary of suggested proposals:

<b>Proposal</b>	<b>Comment</b>
1. Liaise with the Ale House to educate patrons by way of flyers and announcements as to the car parking available, noise and other behavioural matters.	To be discussed with the Paddington Ale House.
2. Better, more prominent signage to the existing carparks, i.e. Flinders Street and Hobart Street parking areas.	Proposal prepared.
3. Undertaking an audit of existing carparks with a view to improving (where warranted) the level of lighting, pavement surface and line marking.	Funds allocated in 2003/2004 draft budget.
4. Technical Services to investigate upgrading the level of street lighting in Fairfield Street (Scarborough Beach Road to Anzac Road).	Additional lights ordered.
5. Taxi Control Board, the Town and Paddington Ale House to investigate relocating taxi rank to Scarborough Beach Road and for the Hotel to provide security staff to control the crowd during peak times.	Taxi Control Board have agreed to relocate taxi rank to Scarborough Beach Road.

6. Upon implementation, of part or all of the above, the Town, in consultation with Hotel management and local Police, to continue monitoring the situation.
7. A report to be presented to the Council outlining the Group's recommendations and seeking Council's endorsement of the management strategy. To be prepared after public meeting.

### **Community Forum 9 June 2003**

The meeting was attended by 14 members of the public, and representatives from the Police Services, Paddington Ale House, including Elected Members and officers from the Town's Technical Services and Law and Order Services.

The Mayor opened the meeting and introduced Councillors and staff to members of the public. He advised that the meeting was to discuss the commercial/residential balance in Fairfield Street.

The meeting was advised of the above proposals, which resulted from the Local Area Traffic Management (LATM) meeting held on 24 March 2003.

A member of the public requested that *No Standing* demarcation lines adjacent to driveways be improved and that the parking restrictions be extended to Anzac Road. Officers advised that community consultation would be carried out to extend the parking restrictions however the *No Standing* demarcation lines would be addressed immediately.

It was also advised that due to Rangers patrolling the area two to three times a week, no infringements notices had been issued during the last few patrols.

Lighting in Fairfield Street and moving the taxi rank, bus parking in lower Flinders Street/Anzac Road and security at the Paddington Ale House, was discussed and it was agreed that buses should not be permitted in the street after 11.00 pm.

It was agreed that officers should meet with Hotel security to discuss the bus issue.

There was general discussion on solutions to noise problems in the area and it was suggested that the Town's officers meet with the Paddington Ale House management to resolve the problem. It was felt that relocation of the taxi rank should help.

It was also suggested that a flyer be distributed advising residents of phone numbers for Police and Rangers. Residents were encouraged to advise Police of any incidents.

The following is a summary of the suggested proposals:

<b>Proposal</b>	<b>Comment</b>
1. Improved <i>No Standing</i> demarcation lines adjacent to driveways.	To be implemented.
2. Parking restrictions in Fairfield Street to be extended to Anzac Road	Community consultation to be arranged. Report to Council.

- |  |   |
|--|---|
| 3. Restrict bus parking in lower Flinders Street/Anzac Road.   | To be discussed with Hotel management.  |
| 4. Technical Services to investigate upgrading the level of street lighting in Fairfield Street (Scarborough Beach Road to Anzac Road).  | Additional lights ordered.  |
| 5. Taxi Control Board, the Town and Paddington Ale House to investigate relocating taxi rank to Scarborough Beach Road and for the Hotel to provide security staff to control the crowd during peak times. | Taxi Control Board have agreed to relocate taxi rank to Scarborough Beach Road. |
| 6. Future Engineering measures.  | On hold.  |
| 7. Flyer to be distributed advising residents of phone numbers for Police and Rangers.   | To be prepared.   |
| 8. Provision of a barrier fence Scarborough Rd frontage of Hotel to contain Hotel patrons.   | Cost determined to be \$6,300.  |

#### **CONSULTATION/ADVERTISING:**

The community is to be consulted regarding the proposed extension of the parking restrictions in Fairfield Street. Also a Flyer is to be distributed to Fairfield Street residents advising of phone numbers for Police and Rangers. Officers have discussed the relocation of the Taxi rank with local businesses and they are in favour of the proposal.

#### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Strategic Plan 2002-2007 – 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. *“h) Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management Advisory Group”.*

#### **FINANCIAL/BUDGET IMPLICATIONS:**

The cost to implement the improved parking signage is estimated at \$480 and the lighting upgrade in Fairfield Street is estimated to cost \$960.

Funds for carpark resurfacing and linemarking have been included in the 2003/2004 draft budget. The estimated cost of the proposed barrier fencing is \$6,300 and it is suggested this could be funded from the 2003/2004 Mt Hawthorn Street Upgrade allocation.

#### **LEGAL/POLICY IMPLICATIONS:**

Nil.

#### **COMMENTS:**

The proposed actions resulting from both the LATM Advisory Group’s meeting of 23 March 2003 and the Community Forum held on 9 June 2003, are designed to improve the amenity for Fairfield Street residents without detrimentally impacting on other adjoining streets.

It is therefore recommended that the proposals, as outlined in the report, be approved.

**10.1.13 No. 68 (Lot W30) Emmerson Street, North Perth – Proposed Three (3) Two - Storey Grouped Dwellings to Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Smith's Lake, P6	<b>File Ref:</b>	PRO 1260; 00/33/1641
<b>Reporting Officer(s):</b>	M Bonini		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Doepel and Associates Architects on behalf of the owner Dalla Riva (Aust) Pty Ltd for proposed three (3) two - storey grouped dwellings to existing single house at No. 68 (Lot W30) Emmerson Street, North Perth, and as shown on plans stamp-dated 22 May 2003, with amendments dated 17 June 2003, subject to:*

- (i) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromise;*
- (ii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iii) a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iv) the construction of crossovers shall be in accordance with the Town's specifications;*
- (v) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vi) a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (vii) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (viii) subject to first obtaining the consent of the owners of No. 66c Emmerson Street, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 66c Emmerson Street, in a good and clean condition;*

- (ix) *no future fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Emmerson Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the new front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (x) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the window to bedroom 3 of unit 3 on the south elevation shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
- (xi) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the south side of the deck of unit 3 shall be screened with a permanent obscure material to a minimum height of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;*
- (xii) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Emmerson Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (xiii) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town; and*
- (xiv) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *the proposed garages being setback a minimum of 1.0 metre from the north boundary; and*
  - (b) *an enclosed lockable storage area bring provided for the existing dwelling in accordance with the Residential Design Codes.*

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

*to the satisfaction of the Chief Executive Officer.*

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**COUNCIL DECISION ITEM 10.1.13**

**Moved Cr Doran-Wu, Seconded Cr Cohen**

*That the recommendation be adopted.*

*Debate ensued.*

**Cr Franchina returned to the Chamber at 8.09pm.**



*Debate ensued.*

**LOST (0-8)**

(Cr Ker on approved leave of absence.)

**Reasons:**

1. **The development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality.**
2. **The non-compliance with the housing density, boundary setbacks, open space, building height and privacy requirements of the Residential Design Codes.**
3. **Consideration of the objections received.**
4. **Lack of parking and store.**

**FURTHER REPORT:**

The advertising period for the application closed on 20 June 2003, and one submission was received within this period.

The eastern neighbour who resides in 66a Emmerson Street submitted a letter of objection to the above proposal. The letter raises various concerns, which are addressed below.

- *"There are NO other 2-storey buildings bordered by the proposed development and thus all sides will be overlooked."*

The overlooking issue has been addressed as part of the assessment of the proposal. Areas that did not comply with the setback requirements of the Residential Design Codes in relation to Privacy have been noted and conditioned accordingly.

- *"The setback of the southern elevation was not marked on the plan; I believe that the apparent proposed 2-metre setback is too close to my property and will affect my privacy and sunlight."*

The setback from the southern boundary has been notated on the display plans as well as all other sets. The privacy aspect is addressed in the Agenda Report.

The Residential Design Codes require that shadow cast by a building be calculated at midday on 21 June at a vertical sun angle of 33 degrees. The total extent of overshadowing permitted on an adjoining property for a R40 zoning is 35 per cent. The orientation of the lot is such that no shadow is cast to the eastern neighbours when applying this method.

- *"The proposed setback of the eastern elevation is 1.5 metres, which will overlook my outdoor deck (This is my only outdoor entertaining area) and will therefore severely affect my privacy."*

There are no major openings proposed on the eastern elevation. Aspects of the proposal that pertain to privacy have been addressed in the assessment and also in the Agenda Report.

- *"I understand ...that when calculating overshadowing on neighbouring properties it is usual to take 12 Midday as the time to assess the overshadowing effect. However, the existing proposal will affect the amount of afternoon sun which falls on my property and will raise my heating requirements in the winter. NO overshadowing is marked on the plans."*

This is addressed in the above comments relating to overshadowing.

- *"There is NO setback from the eastern border for the deck above the garage of Unit 3 and this will overlook both my property and my rear neighbours' properties. I understand that the developer has proposed screening this deck but I am still not happy with its proximity to the eastern border."*

The setback of the deck to the eastern boundary is addressed in the Agenda Report and also in the Amended Recommendation requested by Councillor Lake and associated Further Report.

- *"I would also like to know if the privacy issues for the existing house at 68 Emmerson have been addressed as I believe this house has been sold. There will be 6 windows of the southern elevation which will overlook the rear balcony of the existing house."*

The Town's rates records indicate that the entire lot inclusive of the front portion containing the existing dwelling is under the one ownership. Furthermore, the subdivision process has not been finalised, which means that Lot W30 currently remains a whole lot.

The existing residence contains two uncovered car parking bays to the western side of the lot with access from the adjacent right of way.

The setback requirement for the deck from the eastern boundary is 2 metres. After revisiting the setback requirement of the east wall pertaining to the garage and deck, the setback was calculated on the basis of the wall length and height and the wall containing major openings as per clause 3.3.1 A1 (ii) of the Residential Design Codes. It is considered that the screen wall proposed at 1.6 metres from the finished floor level of the deck will assist in containing noise levels from the deck, acting as a barrier to the eastern neighbours. Imposing a setback of 2 metres is considered to create a similar outcome as a 0 metre setback as currently proposed. Thus, the deck being at 0 metre setback is considered to be acceptable.

In light of the above re-assessment of the eastern side setback, the compliance table has been amended as follows:

Setback	Required	Provided
<b>Unit 3</b>		
East (Garage and Deck Wall)	<del>1.1 metre</del> 2 metres	0 metre

The decks have been included in open space calculations of the units in accordance with the Residential Design Codes. If the decks were not included, it would result in variations.

The outdoor drying space of the adjacent residence is not considered to be active outdoor living area. Furthermore, access to the drying space would occur from a laundry, which is not considered to be a major opening to a habitable room.

**LANDOWNER:** Dalla Riva (Aust) Pty Ltd  
**APPLICANT:** Doepel and Associates Architects  
**ZONING:** Metropolitan Region Scheme: Urban  
 Town Planning Scheme No.1: Residential R40  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Single House
Use Classification	"P"
Lot Area	878 square metres

<b>Density</b>	<b>Required</b>	<b>Provided</b>
R40	220 square metres average per lot	219.5 square metres average per lot
<b>Setback</b>	<b>Required</b>	<b>Provided</b>
<b>Unit 1</b>		
West Ground Floor (Living, Dining, Kitchen)	1.5 metres	0 metre
West Upper Floor (Bed 1, Ensuities, Bed 2 Balcony)	2.4 metres	2 metres
<b>Unit 2</b>		
West Ground Floor (Store)	1 metre	0 metre
<b>Unit 3</b>		
East (Garage and Deck Wall)	1.1 metre	0 metre
<b>Privacy assessment</b>	<b>Required</b>	<b>Provided</b>
<b>Unit 3</b>		
Bed 3	4.5 metres	3.4 metres to east boundary
<b>Balcony</b>	7.5 metres	2.2 metres to east boundary
Deck (South facing aspect)	7.5 metres	0.3 metre to east boundary
<b>Open space</b>	<b>Required</b>	<b>Provided</b>
<b>Unit 1</b>	45 percent	40 percent
<b>Height</b>	<b>Required</b>	<b>Provided</b>
<b>Wall</b>	6 metres maximum	6 metres to 7.2 metres

**SITE HISTORY:**

The property is currently occupied by a single residence constructed during the 1920's. The lot is bounded on its northern and western boundaries by rights of way, which are sealed and Town owned. The rights of ways are 5.02 metres wide. The surrounding land uses are characterised by grouped dwellings development and single houses.

**DETAILS:**

Approval is sought to construct three additional two-storey grouped dwellings to the rear of the existing dwelling. The submitted plans detail three grouped dwellings built across the rear of the block from east to west with a nil setback to the right of way on the western boundary and built to within 1.5 metres of the eastern side boundary. Three double garages setback 1 metre from the northern boundary (abutting right of way) are provided for the three new dwellings with open decks above. The existing dwelling is provided with a single carport to the rear of the dwelling and an open car bay to the side with access from the right of way on the western side of the lot. The proposal was previously referred to the Ordinary Meeting of Council of 13 September 1999, which was subsequently approved with standard and appropriate conditions. The main purpose of the current application is for reconsideration, as the previous approval has since lapsed and is no longer valid.

**CONSULTATION/ADVERTISING:**

The advertising period closes on 20 June 2003, and at the date of preparation of this report, no submissions were received. Any submissions received will be forwarded to the Elected Members at the Ordinary Meeting of Council to be held on 24 June 2003.

**COMMENTS:****Density**

Within the Residential R40 density code, grouped dwellings are permitted at a rate of one dwelling for every 200 square metres minimum and 220 square metres average of land area.

The site is **878** square metres in area and, therefore, has the development potential for 3.9 dwellings. The proposal presents with an effective **shortfall** of **2** square metres (0.0023 percent) for four dwellings.

A concession to the prescribed density to permit the addition of three grouped dwellings to the existing single house is requested.

Clause 20 (2)(b) of the Town of Vincent Town Planning Scheme No.1 states that:

*“Subject to compliance with the procedures set out in the Residential Planning Codes for notifying affected owners and occupiers, the Council may grant an increase in the permitted dwelling density by up to 50% if- ...(b) the proposed development conserves or enhances an existing dwelling or existing dwellings worthy of retention:”*

Where Council allows a higher density, the standards and provisions within the Residential Design Codes (R Codes) for that density are required to be applied to the proposal. The previous approval was granted on the basis of a density bonus. In this instance, the density bonus is considered minor in nature (0.0023) percent and the original 1920's house has been retained and restored after being recognised by the Town's Heritage Officers as being worthy of retention.

### **Setbacks**

#### **Unit 1 - West Ground Floor**

The entire ground floor of unit 1 is located on the western boundary of the lot and comprises the living room, dining room and kitchen. The requirement is 1.5 metres due to the wall containing major openings. Whilst the wall does not satisfy the setback requirement, it does have a separation distance of 5.02 metres from the west neighbour provided by the right of way. The windows on the wall are considered to be a valuable component to the overall visual aesthetics, as it helps to reduce the visual impact of a blank wall to the overall streetscape and also provides an instant interaction with casual surveillance of the right of way. The windows on the boundary are within the requirements of the Building Code of Australia with no need for fire protection, as the adjacent right of way is over 3 metres in width. With consideration given to the above, the nil setback is considered acceptable and therefore supported.

#### **Unit 1 - West Upper Floor**

The setback variation for the upper floor of the western elevation pertains to bedroom 1, bedroom 2 and the 2 ensuites. The setback proposed is deficient to the requirement by 0.4 metre. As mentioned above, due to the separation distance provided by the right of way, an adequate setback distance is maintained from the western neighbour. In total, a 7.02 metres distance lies between the subject lot and the west neighbour. In addition, the setback variation is considered to deviate only slightly from the requirement and therefore is not deemed to disrupt the amenity of the surrounding properties. The setback variation is considered acceptable and therefore supportable given the nature of the variation.

#### **Unit 2 - West Ground Floor**

The variation for unit 2 pertains to the store. The store is proposed to be located on the west boundary. The total amount of boundary wall on the west boundary is 54 percent in total. The Residential Design Codes (R Codes) permit a total of 66 percent of boundary wall along one side boundary with restrictions placed on its height. The heights are in compliance with this provision. When applied, the boundary wall of the store together with the boundary wall of unit 1 does achieve compliance, and is thus considered to be unimposing in scale and nature to the surrounding properties. The variation is considered to be minor and therefore supported.

#### **Unit 3 - East Setback**

The applicant seeks a variation to the setback for the garage of unit 3. The garage is proposed to be located on the east boundary.

The subject wall is considered to be single storey in nature, reaching a maximum height of 4.1 metres and occupying a maximum length of 5.8 metres. The 4.1 metres wall height also incorporates the screening of the deck. No undue overshadowing is caused as a result of the proposed wall due to its location in relation to the orientation of the lot. The proposed wall occupies a minimal length and is not considered to detrimentally impact upon the amenity of the affected adjoining neighbour. The variation is considered acceptable and therefore supported.

### **Privacy Setbacks - Unit 3 - Bedroom 3**

The privacy setback variations all pertain to unit 3 of the development. Bedroom 3 proposes a setback that is deficient from the requirement by 1.1 metres when measured from the east boundary. To address any possible concerns in relation to overlooking, screening to the non complying window as per the requirements of the R Codes can be applied. The variation is supported on the basis that the window is appropriately screened to prevent potential undue overlooking to the east neighbours.

### **Unit 3 - Balcony**

The balcony is proposed to be screened to the east side, however, the privacy setback calculated from the north facing side to the east boundary still presents a variation to the setback requirement. The setback is deficient by 5.3 metres.

It is not considered viable to cause the balcony to be screened across the north facing side, as the balcony would lose its purpose and become a small room with limited usability. The balcony was considered in relation to the neighbouring properties to the east. It was determined that, as there is no direct viewing to the east due to proposed screening, which therefore results in viewing oriented towards a north east direction. The building structure in view from the balcony contains no major openings. Furthermore, there appears to be no active outdoor living areas that will be adversely affected as a result of the balcony.

### **Unit 3 - Deck**

The south facing side of the deck of unit 3 is considered to have the potential to cause overlooking to the neighbouring properties to the east. The proposed deck currently applies screening to the north and east sides. However, from the south side, the proposed distance from the boundary is 0.3 metre without any screening. This is considered unacceptable and therefore requires that appropriate screening to 1.6 metres be applied as per the R Codes, in order to avoid any potential loss of amenity to the eastern properties. The deck is supported on the basis that screening be applied.

### **Open Space**

The open space provision for unit 1 varies from the requirement by 5 percent. The open space calculation was determined without the inclusion of maximum permissible area from the right of way as applied to site area calculations permitted under the R Codes. However, for the purpose of this discussion, when applying area from the right of way, unit 1 complies with the open space requirement by achieving 45 percent. The unit is considered to provide adequate usable open space area via the proposed courtyard and the deck area above the garage. In consideration of this, the open space variation is acceptable and on this basis the variation is supported.

### **Wall Height**

The proposed wall height varies to a maximum of 7.2 metres from a 6 metres requirement. The variation is attributed to the cross fall in the natural ground level of 2.5 metres from south to north. It is not considered viable to stagger or slope the wall in order maintain a 6 metres height throughout. It is also important to note that the overall building height complies with the 9 metres requirement. The height variation has been considered in terms of the natural topography of the lot and is supported, as it is not considered to compromise the amenity of any surrounding properties.

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

**10.3.3 Headquarters (HQ) Youth Facility – Frame Court**

<b>Ward:</b>	South	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Oxford Precinct	<b>File Ref:</b>	PRO0070
<b>Reporting Officer(s):</b>	M Rootsey		
<b>Checked/Endorsed by:</b>			
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That Council;*

- i) *APPROVES IN PRINCIPLE to the transfer of ownership and management of Headquarters Youth Facility to the Town of Vincent and advises the HQ Board accordingly; and*
- ii) *authorises the Chief Executive Officer to prepare a report on this proposal to include:*
  - a) *the operating model and organisation structure of the facility after the proposed transfer; and*
  - b) *the financial implications for the Town in this report to be presented to Council by the end of July 2003.*

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**COUNCIL DECISION ITEM 10.3.3**

**Moved Cr Torre , Seconded Cr Cohen**

*That the recommendation be adopted.*

*Debate ensued.*

**Cr Doran-Wu departed the Chamber at 8.22pm.**

*Debate ensued.*

**Cr Doran-Wu returned to the Chamber at 8.24pm.**

*Debate ensued.*

**Cr Farrell departed the Chamber at 8.25pm.**

*Debate ensued.*

**Cr Farrell returned to the Chamber at 8.29pm.**

**Cr Lake departed the Chamber at 8.29pm.**

*Debate ensued*

**Moved Cr Torre , Seconded Cr Chester**

*That this item "LIE ON THE TABLE" until reports are provided.*

**CARRIED (7-0)**

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

**Cr Lake returned to the Chamber at 8.32pm.**

**BACKGROUND:**

The original vision for Headquarters Youth facility was for an integrated youth facility bringing together a range of youth recreation opportunities focusing mainly on skateboarding, art, music and information technology, as well as providing a safe place to hang out, all based on the overall philosophy of “for young people by young people”.

The facility project was initially operated through a partnership of a number of groups including the Town of Vincent, Lotteries Commission, Rotary Club of Heirsson and the Skateboard Association of West Australian (SKAWA).

The facility was constructed at the SES building site at Frame Court, the Town donated the land and construction which included the refurbishment of the SES building and construction of a skateboard park.

The facility opened for operations in February 2002. Headquarters Youth Facility is operated by an incorporated body Headquarters Youth Recreation, Cultural and Arts Association Incorporate. It is managed by a Board of Management, which comprises of community volunteers. The members of the board comprise of two from the Town of Vincent currently the Mayor (Chairman) and the Executive Manager Corporate Services as well as representatives from the Lotteries Commission, Rotary Club of Herrisson, SKAWA, TAFE, members of the business community and youth.

The facility has two full time paid positions – the Manager and an Administration Assistant, these are currently funded by a Lotteries Commission grant until November 2003.

A sub committee group of the HQ Board has been established to address all matters relating to the proposed transition on behalf of the Board, including assets, staff, financial systems and grants.

**DETAILS:**

The facility commenced operations with a self funded model, with a manager and staff and six paid part-time staff who were responsible for the various portfolios of skateboarding, art, music, information technology and the café operations. This structure proved to be a heavy overhead burden financially and was recently changed, where paid staff were replaced by volunteers and the music portfolio outsourced. The Manager position and Administration Officer position were retained. This model has proved to be successful and has achieved a viable financial base for HQ.

The HQ Board since its opening has met the original vision of the facility and it has evolved as a major enterprise offering an innovative range of youth development, training opportunities and leading-edge education pathways through strategic partnership.

However the size and complexity of the HQ facility requires a level of professional executive management, which is difficult to provide from a Board of community volunteers, this is especially relevant in the areas of financial management, human resource management and risk management.

It is therefore proposed for the Town to take over responsibility of the Headquarters facility and it is suggested that a Community Advisory Group for the facility be established to maintain and extend the community partnerships and opportunities.

If the Town takes over the facility it will be included in the Community Development section of the Town's organisation structure. The manager will report directly to the Manager Community Development and Administration Services and separate cost centre will be established for financial reporting.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

A special resolution of the HQ Board is required to resolve to wind up the incorporated body. A formal application to wind up HQ is to be sent to the Department of Consumer and Employer Protection, this must be submitted within 14 days of the special meeting of Council.

The Department of Consumer and Employer Protection will wind up HQ within two (2) months of receiving the application.

**STRATEGIC IMPLICATIONS:**

Draft Strategic Plan 2002-2007

Key Result Area 2 – Community Development  
*2.4(b) Support youth development programmes.*

**FINANCIAL/BUDGET IMPLICATIONS:**

The HQ facility is funded through fees and charges from attendees, grants from State Government (notably Department of Training and Development), and other funding bodies notably the Lotteries Commission.

The Town will arrange for existing grants to be transferred to the Town.

An allowance has been made to the 2003/04 Annual Budget of a net cost/deficit of \$45,000 to the Town.

**COMMENTS:**

The Town has invested considerable amount of funds into the construction of this facility and has supported the concept and visions of this place since its inception.

By taking over the responsibility for the facility, the Town will be able to better ensure its viability and develop its future potential.



Mayor Catania announced that he had declared a proximity interest in this item. He did not speak or vote on the item. He requested the Council to appoint a Presiding Member, as the Deputy Mayor was on approved leave of absence.

**Moved Cr Torre , Seconded Cr Farrell**

*That Cr Chester assume the chair in the Mayor's and Deputy Mayor's absence.*

**CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

Mayor Catania departed the Chamber at 8.35pm.

Cr Chester assumed the Chair at 8.35pm.

**10.1.8 No.109 (Lot Pt 149, Lot 102 - Subdivision Approved) Forrest Street, North Perth – Retrospective Planning Application for Approval of Partial Demolition and Alterations and Additions to Existing Single House**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	PRO2344; 00/33/1620
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme the Council APPROVES the application submitted by J Halliday on behalf of the landowner L Quinn and Derkin Pty Ltd for retrospective planning approval for partial demolition of and alterations and additions to existing single house at No.109 (Pt Lot 149) Forrest Street, North Perth, and as shown on plans stamped 6 May 2003, subject to;*

- (i) detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (ii) all car-parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking".*
- (iii) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (iv) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (v) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (vi) compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**COUNCIL DECISION ITEM 10.1.8**

**Moved Cr Doran-Wu, Seconded Cr Torre**

*That the recommendation be adopted.*

*Debate ensued.*

**Moved Cr Cohen, Seconded Cr Lake**

*That it be recorded in the Minutes that Council does not support retrospective planning approvals.*

**AMENDMENT CARRIED (7-0)**

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

**MOTION AS AMENDED CARRIED (7-0)**

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

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**LANDOWNER:** L Quinn and Derkin Pty Ltd  
**APPLICANT:** J Halliday  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R40  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Single house
Use Classification	"P"
Lot Area	675 square metres

**SITE HISTORY:**

The subject site has an existing single house that fronts Forrest Street.

**DETAILS:**

Retrospective Planning Approval is sought for partial demolition of and alterations and additions to existing single house.

**CONSULTATION/ADVERTISING:**

Advertising was not required in this instance as retrospective Planning Approval is sought for partial demolition of and alterations and additions to existing single house, and this matter is being referred to Council for consideration and determination.

**COMMENTS:**

The Town were informed of the unauthorised works via a compliant. The applicant has undertaken the works without a Building Licence and as such retrospective Planning Approval is sought. The subject works which have been undertaken include; cladding of the walls and roof to the rear of the property, renovation of the kitchen and renovations to front verandah. The works are not considered to have an undue impact on the amenity of the neighbouring properties, and has no adverse impact on the existing streetscape. Under normal circumstances, this application would be approved via a Building Licence as the works are minor in nature and involve demolition, renovation and/or replacement of existing structures. Given the above, it is therefore recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

Mayor Catania returned to the Chamber at 8.40pm and resumed the Chair. He was advised that Item 10.1.8 was carried (7-0).

**10.1.1 Further Report - No. 27 (Lot 31) Harley Street, Highgate - Proposed Partial Demolition of and Alterations and Additions Including Freestanding Garage and Studio Structure to Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	16 June 2003
<b>Precinct:</b>	Hyde Park, P10	<b>File Ref:</b>	PRO 2309; 00/33/1567
<b>Reporting Officer(s):</b>	S Crawford		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

***FURTHER OFFICER RECOMMENDATION:***

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by D O'Donovan on behalf of the owner J O'Donovan for proposed partial demolition of and alterations and additions including freestanding garage and studio structure, to the existing single house at No. 27 (Lot 31) Harley Street, Highgate, and as shown on plans stamped 2 April 2003, and amended plan stamp dated 10 June 2003, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (iii) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the right of way and the internal vehicular access way to ensure that the safety of pedestrians and other road users is not compromised;*
- (iv) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (v) a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) a right of way security bond and/or bank guarantee for \$880. shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*

- (vii) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (viii) *subject to first obtaining the consent of the owners of No. 31 Harley Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 31 Harley Street in a good and clean condition;*
- (ix) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (x) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

*to the satisfaction of the Chief Executive Officer.*

**Moved Cr Chester; Seconded Cr Torre**

*That the above recommendation with the following amended clause be adopted:*

- (vii) ~~*the construction of crossovers shall be in accordance with the Town's specifications*~~ *no car parking shall be provided within the front setback area;"*;

*Debate ensued.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**COUNCIL DECISION ITEM 10.1.1**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by D O'Donovan on behalf of the owner J O'Donovan for proposed partial demolition of and alterations and additions including freestanding garage and studio structure, to the existing single house at No. 27 (Lot 31) Harley Street, Highgate, and as shown on plans stamped 2 April 2003, and amended plan stamp dated 10 June 2003, subject to:*

- (i) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) *detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (iii) *standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the right of way and the internal vehicular access way to ensure that the safety of pedestrians and other road users is not compromised;*

- (iv) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (v) *a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) *a right of way security bond and/or bank guarantee for \$880. shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (vii) *no car parking shall be provided within the front setback area;*
- (viii) *subject to first obtaining the consent of the owners of No. 31 Harley Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 31 Harley Street in a good and clean condition;*
- (ix) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (x) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

*to the satisfaction of the Chief Executive Officer.*

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#### **FURTHER REPORT:**

The application was considered at the Ordinary Meeting of Council held on 27 May 2003, where the Council resolved that "*this item "LIE ON THE TABLE" and the applicant's amended plans be referred to the Town Officers for comment, and address the concerns of manoeuvrability*".

Councillors Ian Ker and Simon Chester have requested that the item be placed back on the Agenda for this Ordinary Meeting of Council.

The site is currently only afforded one car parking bay accessed off the rear right of way. This car parking bay is located alongside an existing single storey studio structure and has a roller door with a nil setback to the right of way.

The previous proposal sought to provide two car parking bays within this approximate area, however such car parking arrangement did not comply with the Town's Engineering Services requirements relating to manoeuvrability and size. In order to address this, the applicant has submitted revised plans demonstrating retention of one car parking bay on-site, which now complies with the Town's requirements and is supported by Engineering Services.

As the dwelling is currently only serviced with one car parking bay, it is reasonable to allow such provision to continue. Furthermore, the Hyde Park Precinct Policy allows variations to the Residential Design Codes where it is necessary to maintain the prevailing historic character of the area.

The existing streetscape of Harley Street is such that the majority of on-site car parking is provided off the right of way. If an additional car parking bay were to be located within the front setback, the existing traditional front garden would be lost and it is likely that a cross over will impact on existing street trees. As such, it is considered contrary to streetscape principles to promote parking in the front setback area in this instance. Furthermore, five dwellings along Harley Street are included on the Town's Municipal Heritage Inventory, which demonstrates the historic nature of the area and its intrinsic value on the streetscape.

On this basis, the reduced car parking provisions, which maintains the status quo for the site, is supported.

The revised proposal is considered acceptable and the previous conditional approval Officer Recommendation remains unchanged, except for the deletion of previous conditions/clauses (i) (a), (b), and (c) as they are no longer required, subsequent renumbering of the conditions/clauses, and the application of an updated version of previous condition/clause (iv).

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 27 May 2003:

*"OFFICER RECOMMENDATION:*

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by D O'Donovan on behalf of the owner J O'Donovan for proposed partial demolition of and alterations and additions including freestanding garage and studio structure, to the existing single house at No. 27 (Lot 31) Harley Street, Highgate, and as shown on plans stamp-dated 2 April 2003, subject to:*

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
  - (a) the deletion of the proposed carport/garage;*
  - (b) the provision of two (2) unenclosed hardstand car parking spaces onsite; and*
  - (c) the car parking being provided with a minimum reversing room of 6.0 metres to the opposite/north - western side of the right of way.*

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

- (ii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (iii) *detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (iv) *a visual truncation of 1.5 metres by 1.5 metres at the intersection of the driveway and footpath shall be provided at the owner's cost;*
- (v) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (vi) *a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vii) *a right of way security bond and/or bank guarantee for \$880. shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (viii) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (ix) *subject to first obtaining the consent of the owners of No. 31 Harley Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 31 Harley Street in a good and clean condition;*
- (x) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (xi) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

*to the satisfaction of the Chief Executive Officer.*

*Moved Cr Torre, Seconded Cr Lake*

*That the recommendation together with the following amended clause (iv), be adopted.*

*"(iv) a visual truncation of 1.5 metres by 1.5 metres at the intersection of the driveway and ~~footpath~~ right of way shall be provided at the owner's cost;"*

*Cr Doran-Wu departed the Chamber at 8.10pm.*

*Debate ensued.*



*Cr Doran-Wu returned to the Chamber at 8.12pm.*

*Debate ensued.*

*Cr Franchina returned to the Chamber at 8.14pm.*

*COUNCIL DECISION ITEM 10.1.15*

*Moved Cr Chester, Seconded Cr Farrell*

*That this item "LIE ON THE TABLE" and the applicant's amended plans be referred to the Town Officers for comment, and address the concerns of manoeuvrability.*

*CARRIED (8-0)*

*(Mayor Catania JP on approved leave of absence.)*

*LANDOWNER: J O'Donovan*  
*APPLICANT: D O'Donovan*  
*ZONING: Metropolitan Region Scheme: Urban*  
*Town Planning Scheme No.1: Residential R80 (R60 applies)*  
*EXISTING LAND USE: Single House*

*COMPLIANCE:*

<i>Use Class</i>	<i>Single House</i>
<i>Use Classification</i>	<i>"P"</i>
<i>Lot Area</i>	<i>347 square metres</i>

<i>Requirement</i>	<i>Required</i>	<i>Proposed</i>
<i>Setbacks -</i>		
<i>Dwelling -</i>		
<i>Northern side setback</i>	<i>1.8 metres or consideration of allowing a 'seamless extension' as contained within the Town's Local Character Policy.</i>	<i>Nil</i>
<i>Southern side setback</i>	<i>4.5 metres</i>	<i>0.99 metre</i>
<i>Garage/Studio Structure -</i>		
<i>Rear setback</i>	<i>1.0 metre respectively</i>	<i>Nil respectively</i>
<i>Northern side setback</i>	<i>1.0 metre</i>	<i>Nil</i>
<i>Southern setback</i>	<i>1.0 metre</i>	<i>Nil</i>
<i>Car Parking</i>	<i>6.0 metres reversing room</i>	<i>Approximately 3.0 metres</i>
<i>Open Space</i>	<i>45 per cent</i>	<i>31.7 per cent</i>
<i>Wall Height</i>	<i>3.0 metres or consideration of 'seamless extension' as contained within the Town's Local Character Policy.</i>	<i>4.4 metres</i>

*SITE HISTORY:*

*The site currently supports a single storey single house. A 3.01 metres wide privately owned unsealed right of way runs along the rear boundary.*

*DETAILS:*

*The applicant seeks partial demolition and alterations and additions to the single house, including a free standing garage and studio structure located to the rear of the site adjacent to the right of way. The garage and studio structure will replace smaller existing structures of this nature.*

*CONSULTATION/ADVERTISING:*

*The proposal was advertised and one submission was received. The submission is from the owner of the property located on the southern side of the proposal, and raises concerns in relation to fencing for the site.*

*The objector submits that the southern boundary fence is considered to be encroaching onto her land and that any future fence should follow the correct boundaries of the property. In relation to this aspect, the Town can only approve development on the site that is subject of this application, that being No. 27 Harley Street. Any dispute to boundary fencing falls under the provisions of the Dividing Fences Act and is a civil matter between neighbours. As such, the Town has no direct involvement in the resolution of these matters.*

*The second issue raised by the objector relates to the fact that the existing southern boundary fence to the rear of the properties is higher than that which is proposed as part of this application.*

*As part of the application, the applicant does not intend to alter the existing boundary fencing, and as such it is understood that this will remain unaltered, which addresses the objector's concerns.*

*COMMENTS:*

*Partial Demolition*

*The proposal has been reviewed by the Town's Heritage Officer, which identifies that the property is listed on the Town's Interim Heritage Database, however is not listed on the Town's Municipal Heritage Inventory, and as such any proposal is subject to the provisions of the Town's Town Planning Scheme No. 1 and related Policies. Therefore, no objection is raised to the proposed partial demolition.*

*Dwelling Setbacks*

*Northern Side Setback*

*The Residential Design Codes (R Codes) require a setback of 1.8 metres from the affected boundary, whereas the applicant seeks a nil setback. The existing dwelling incorporates a nil setback to the northern boundary for a wall length of 12.2 metres. The applicant seeks a continuation of this setback to accommodate the additions, that being a living/dining area and to enclose the proposed deck to the rear of the dwelling.*

*The R Codes permits parapets to one side boundary for areas coded R30 or higher. However, the provisions of this Clause cannot be utilised in this proposal as the average wall height for the parapet is 4.0 metres, which is greater than that provided for by the R Codes.*

*However, the Town's Policy relating to Local Character promotes the continuation of existing setbacks on-site in the case of extensions, in order to achieve seamless extensions. The additional parapet to this boundary will be for a length of 9.2 metres.*

*Because the parapet wall is located on the northern boundary of the property no undue overshadowing will affect the northern neighbour.*

*In addition, the proposed wall height of 4.0 metres is consistent with the scale of the existing parapet wall. On this basis, it is considered that the proposed parapet wall is acceptable.*

*Furthermore, the new dining/living and laundry areas created actually occur within the existing footprint of the building, with the actual extension element (lounge room) having a greater setback to this boundary in accordance with the R Codes. On this basis and the fact that no undue overshadowing will result, the relaxation to allow a seamless extension is supported.*

#### *Southern Side Setback*

*The R Codes would require a setback of 4.5 metres to this boundary, whereas the applicant is seeking a setback of 0.99 metre. Similarly, to the northern elevation the extensions to the existing dwelling seek to follow the existing setback pattern of the dwelling, in this case 0.99 metre from the boundary. The extension to this elevation is for a distance of 2.4 metres. Again, utilising the Town's Policy that relates to Local Character, confirms that this approach to setbacks is supported. As there is little undue harm caused as a result of overshadowing, taking into account the neighbour is located on the southern side of the proposal, it is considered the extension as proposed can be supported.*

#### *Studio Setbacks*

*The R Codes require a 1.0 metre setback to the right of way for this structure, whereas the applicant is proposing a nil setback.*

*The R Codes would also require a 1.0 metre setback to the northern side boundary whereas the applicant seeks a nil setback. In this instance, the parapet wall is deemed not to cause an undue adverse affect due to the single storey nature of the building.*

#### *Garage Setbacks*

*As a result of non-compliance with the provisions of open space, the applicant will delete the garage structure from the proposal and replace this with hardstand parking to address this aspect. Due to this modification, the setback issues associated with the garage structure will no longer be relevant to the proposal.*

*In relation to the objector's concerns for the fencing to this southern boundary at the rear of the property, the removal of the garage structure from the proposal will result in all fencing remaining as is existing on-site, again addressing the concerns raised.*

#### *Car Parking*

*The R Codes require single houses to be provided with a minimum of two (2) car parking bays on-site. The applicant originally proposed two bays to be accommodated in a garage structure. However, due to the non-compliance with the open space provisions and coupled with the insufficient manoeuvring room, the applicant will delete the garage from the proposal. The garage will be replaced with hardstand parking for two vehicles. In order to achieve the minimum 6.0 metres reversing room requirement, the applicant will provide the car parking forward off the rear boundary by 3.0 metres. The proposal will then be compliant with the R Code requirements with respect to car parking.*

#### *Open Space*

*Under the R60 code a minimum open space provision of 45 per cent is required. In this instance, the applicant only achieves the provision of 31.7 per cent. It is important to note that the proposed decking area is excluded from the open space calculation (that is, it is included as site cover) as the structure is enclosed on three (3) sides.*

*Recalculating the open space provision to account for the loss of the garage increases open space on-site to 40.31 per cent. Under the provisions of the Hyde Park Precinct Policy, consideration can be given to any variation to the R Codes where it is necessary to maintain the prevailing historic character of the precinct with regard to the redevelopment of small lots.*

*The subject site is only 347 square metres in size supporting a very modest residence.*

*The extensions seeks to create a kitchen/living/dining area only, with this extension being for 5.7 metres in length only. This extension in effect increases the floor space of the dwelling by one third, which demonstrates the small nature of the existing footprint and the increased amenity the extensions will provide to the occupants.*

*In addition, the deck, despite not being included in the open space calculation, will in fact be utilised as an outdoor living space, thereby fulfilling the intent of it being primarily utilised as an open space area. As an example, if the deck were to be included in the open space calculation, the provision on-site would increase to 56.29 per cent, thereby making the application compliant. Taking these factors into account, it is considered that the reduction in open space for this small lot is suitable and does not seriously reduce the amenity of the occupants, or have any undue impact on the surrounding neighbours.*

#### *Wall Height*

*The R Codes generally requires a 3.0 metres wall height for single storey dwellings. The applicant proposes a 4.4 metres wall height to accommodate the parapet wall to the northern boundary, so that the extension to the parapet is consistent to that which exists. The Town's Policy relating to Local Character promotes seamless extensions of this nature, and thereby the variation in height, having no undue effect on the neighbour, can be supported.*

*It is considered that the proposal will generally have no unreasonable detrimental impact on the amenity and streetscape of the area. Accordingly, the proposal is recommended for approval, subject to standard conditions and conditions to address the above matters."*

**10.1.5 No. 168 (Lots 33 and 525) Vincent Street, Corner Leake Street, Mount Lawley - Proposed Survey Strata Subdivision**

<b>Ward:</b>	South	<b>Date:</b>	16 June 2003
<b>Precinct:</b>	North Perth , P8	<b>File Ref:</b>	324-03
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission for the proposed survey strata subdivision of No. 168 (Lots and 33 and Pt 34) Vincent Street, corner Leake Street, Mount Lawley and as shown on plans stamp-dated 26 March 2003 (survey strata subdivision 324-03), subject to:*

- (i) all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
- (ii) support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
- (iii) if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
- (iv) all buildings and structures that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and associated materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
- (v) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost;*
- (vi) prior to the clearance of the Diagram or Plan of Survey by the Town, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town.*
- (vii) the street verge tree(s) on Vincent Street and Leake Street adjacent to the subject land being retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (viii) a Management Statement being prepared and submitted in accordance with section 5C of the Strata Titles Act 1985, to include the following additions to the by-laws contained in Schedules 1 and 2 of the Strata Titles Act;*

- (a) *development or redevelopment on the survey strata lots must comply with an existing development approval issued by the Town of Vincent, or such alternative development approval as the Council may grant, which complies with the requirements of the Town of Vincent Town Planning Scheme; and*
- (b) *amendment to or repeal of the above provision cannot be effected without the Commission's agreement; and*
- (ix) *the existing residence to comply with the requirements of the Residential Design Codes to the satisfaction of the Town, including;*
  - (a) *the provision and construction of one (1) on site car parking bay and associated driveway and crossover;*
  - (b) *the provision of a permanent enclosed storage area and adequate provision for the storage of garbage; and*
  - (c) *the provision of a 20 square metres courtyard, with a minimum dimension of 4 metres;*
- (x) *prior to the clearance of the diagram of survey for the proposed lot which has an area less than 200 square metres, the following criteria shall be met to the satisfaction of the Town of Vincent;*
  - (a) *the Town of Vincent has approved a Planning Approval and/or Building Licence for the development of a dwelling on the subject lot; and*
  - (b) *the perimeter walls of the approved dwelling, including the garage walls and carport walls/pillars, have been constructed to plate height; and*
- (xi) *the tree of significance on the land, Date Palm (Phoenix canariensis), being retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works;*

*to the satisfaction of the Chief Executive Officer.*

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**COUNCIL DECISION ITEM 10.1.5**

**Moved Cr Torre , Seconded Cr Cohen**

*That the above recommendation be adopted.*

*Debate ensued.*

**LOST (0-8)**

**(Cr Ker on approved leave of absence.)**

**Reasons:**

- 1. The development is not consistent with the orderly and proper planning and the preservation of the amenities of the existing dwelling and the locality.**
- 2. The non-compliance with the minimum lot area and car parking requirements of the Residential Design Codes.**

3. **The size and configuration of the proposed northern lot would most likely result in any reasonable dwelling on this lot not complying with the requirements of the Residential Design Codes and the Town's Town Planning Scheme No. 1 and associated Policies.**

**COUNCIL DECISION ITEM 10.1.5**

**ALTERNATIVE MOTION**

**Moved Cr Chester, Seconded Cr Farrell**

*That;*

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Residential Design Codes, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission for the proposed survey strata subdivision of No. 168 (Lots 33 and Pt 34) Vincent Street, corner Leake Street, Mount Lawley and as shown on plans stamp-dated 26 March 2003 (survey strata subdivision 324-03) for the following reasons:*
- (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the existing dwelling and the locality;*
  - (b) *the non-compliance with the minimum lot area and car parking requirements of the Residential Design Codes; and*
  - (c) *the size and configuration of the proposed northern lot would most likely result in any reasonable dwelling on this lot not complying with the requirements of the Residential Design Codes and the Town's Town Planning Scheme No. 1 and associated Policies; and*
- (ii) *the Council requests the Western Australian Planning Commission that if the Commission is inclined to approve the proposed subdivision, the Town is further consulted to obtain the appropriate conditions of the Town that should apply to the proposed subdivision.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**FURTHER REPORT:**

The proposed subdivision was previously proposed to use up to half the width of the right of way to achieve an effective lot area, however, this is not applicable in this instance as the proposal complies with the performance criteria of Clause 3.1.3 of the Residential Design Codes (R Codes) as detailed in the Agenda Report. The Compliance Table contained in the Agenda Report should therefore be amended as follows:

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Area	200 square metres	190 square metres ( <del>227 square metres effective</del> )
Minimum Carparking	Two carparking spaces for existing dwelling	One carparking space

The existing dwelling on the proposed southern lot complies with the total open space requirement of the R Codes (45 per cent required, 56 per cent proposed). The outdoor living area (minimum area of 20 square metres and dimension of 4 metres) is required to be located behind the street setback. In accordance with the open space performance criteria provisions of the R Codes, the required outdoor area can be provided within the Vincent Street setback area. This is considered acceptable in light of the lot being a corner lot, hence less opportunity to provide the courtyard behind the street setback. This courtyard forms part of a well established garden area that also accommodates a significant Date Palm tree.

Other functional courtyards are provided behind the dwelling adjacent to the eastern boundary and adjacent to Leake Street.

**LANDOWNER:** B R Stanton  
**APPLICANT:** Oracle Surveys  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R40  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Single house	
Use Classification	"P"	
Lot Area	688 square metres	
<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Area	200 square metres	190 square metres (227 square metres effective)
Minimum Carparking	Two carparking spaces for existing dwelling	One carparking space

**SITE HISTORY:**

The subject site has an existing character house that fronts Vincent Street.

A 5.0 metres wide, Town owned sealed right of way (ROW) abuts the northern boundary of the subject land, providing primary access to the proposed rear lot.

**CONSULTATION/ADVERTISING:**

Advertising is not required for subdivision applications.

**DETAILS:**

The application is for the subdivision of the subject property into two survey strata lots. The proposed southern lot (which will accommodate the existing dwelling to be retained) consists of 502 square metres and the proposed northern vacant lot consists of 190 square metres (227 effective square metres).

**COMMENTS:**

**Site Area**

The proposal complies with the average site area requirement of 440 square metres under the Residential Design Codes (R Codes), and the proposed front lot complies with the required minimum site area requirements of 200 square metres. However, the proposed rear survey strata lot does not comply with the minimum lot area requirements of 200 square metres.

Under the performance criteria, Clause 3.1.3 of the Residential Design Codes - Variation to Minimum Site Area Required stipulates the following:

*"The Commission may approve the creation of a lot of a lesser area and the Commission or a Council may approve a minimum site area of a Grouped Dwelling on a site area less than that specified on Table 1 provided that the proposed variation would meet the following criteria:*



- *Be no more than 5 percent less in area than that specified in Table 1;*
- *facilitate the protection of an environmental or heritage feature; or*
- *facilitate the development of lots with separate and sufficient frontage to more than one public street; or..."*

The existing dwelling is not listed on the Town's Municipal Heritage Inventory or Interim Heritage Data Base however, the Town's Heritage Officers have noted that the existing dwelling is of sufficient character significance to warrant a density bonus. The property also has frontage to two streets and a right of way and, as such, still has a sense of openness. A 5 percent variation to the minimum lot area of the proposed northern vacant lot is sought.

### **Car parking**

The subject proposal involves a variation to the minimum car parking requirements of two car parking spaces, as outlined in the Residential Design Codes. The applicant is seeking a variation to this requirement and requests that one car parking bay be provided on site for the existing dwelling.

The applicant has provided the following information in support of the application:

- *"If we are made to demolish part of the house in order to comply with Councils two parking bays, the heritage value of the building would be greatly reduced.*
- *The hazardous situation of using Vincent Street as an access to a carport."*

The provision of one on-site carparking space, in this instance, is considered supportable given the retention of the existing character dwelling therefore ensuring adequate consideration of the amenity and streetscape character of the locality, the close proximity to public transport services on Vincent Street and Fitzgerald Street, and two hour on street parking facilities on Leake Street adjacent to the subject property.

It is recommended that the provision of one carparking bay on-site for the existing dwelling be supported in this instance.

In light of the above, it is recommended that the proposal be approved, subject to standard conditions.

**10.1.6 No. 385A (Lot Pt 32) Charles Street, North Perth - Proposed Pergola and Front Fencing Additions to Existing Grouped Dwelling**

<b>Ward:</b>	North	<b>Date:</b>	16 June 2003
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	PRO 2322; 00/33/1636
<b>Reporting Officer(s):</b>	M Bonini		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission for the application submitted by G Emery on behalf of the owner Blue Green Pty Ltd for the proposed pergola and front fence additions to existing grouped dwelling on No. 385A (Lot Pt 32) Charles Street, North Perth, as shown on the plans stamp-dated 29 May 2003, subject to:*

- (i) compliance with all Building, Environmental Health and Engineering requirements;*
- (ii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iii) the construction of crossovers shall be in accordance with the Town's specifications;*
- (iv) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (v) a road and verge security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) the pergola shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the proposed front fence;*
- (vii) the roof of the pergola shall be maintained open without a solid roof cover; and*
- (viii) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*

*to the satisfaction of the Chief Executive Officer.*

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**COUNCIL DECISION ITEM 10.1.6**

**Moved Cr Chester; Seconded Cr Farrell**

*That the recommendation be adopted.*

**CARRIED (7-1)**

**For**  
Mayor Catania  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Lake  
Cr Torre

**Against**  
Cr Chester

**(Cr Ker on approved leave of absence.)**

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**LANDOWNER:** Blue Green Pty Ltd  
**APPLICANT:** G Emery  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R60  
**EXISTING LAND USE:** Two Grouped Dwellings

**COMPLIANCE:**

Use Class	Grouped Dwelling
Use Classification	"P"
Lot Area	564 square metres

<b>Requirement</b>	<b>Required</b>	<b>Proposed</b>
Front Fence.	Fence in front setback area shall not exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of wall shall be a maximum height of 1.2 metres above the ground level, with the infill portion of the fence and gates being visually permeable, with a minimum 50 per cent transparency.	Solid wall to a maximum height of 1.543 metres and two metres to piers.

**SITE HISTORY:**

The subject site is occupied by two grouped dwellings.

**DETAILS:**

The applicant seeks approval for the front fence and the pergola located within the front setback area. The proposal which is the subject of this application lies within the Planning Control Area of Charles Street.

The Planning Control Area is an area along Charles Street that has been designated by the Western Australian Planning Commission (WAPC) for future road widening. The amount of land designated for this purpose is 3.86 metres from the front boundary. The application therefore requires final determination to be administered by the WAPC. The purpose of this report is to make a recommendation to the WAPC.

**CONSULTATION/ADVERTISING:**

The application was advertised and no response was received by the Town.

**COMMENTS:**

**Front Fence**

The proposed front fence lies within the planning control area of Charles Street, which is classified as a primary distributor road. The proposed front fence is solid in nature to a height of 1.543 metres for the infill portions and to a maximum height of 2 metres for the piers. The Town's Policy relating to street walls and fences stipulates that solid walls may be permitted where the property abuts a primary distributor road or district distributor road. In this instance, the proposal qualifies for a solid wall to be applied as it abuts a primary distributor road.

The Town's Policy further elaborates that in the case of solid walls being proposed, the wall must accommodate at least two (2) appropriate design features. This is to reduce the overall visual impact and monotony of simply a solid wall. The applicant has nominated that the two design features to the wall will be to firstly stagger the wall between the piers with a sand finish render and the second is for the piers to be face brickwork with limestone tones. These features are considered to be acceptable. The front fence is therefore supported. In relation to the Planning Control Area, the fence is considered to be an easily removable structure, which can accommodate any future intentions for resumption of that land.

**Pergola**

The proposed pergola in part lies within the Planning Control Area. It extends to the front boundary and marries up with the proposed front fence. Posts extend beyond the piers of the wall by 0.3 metre. The pergola is proposed to be used for parking purposes. The pergola is supported on the basis that it remains open on all sides, except where it abuts the front fence, with no solid roof covering as conditioned above. The maneuvering distance is adequate to accommodate the parking of two vehicles at the proposed location, which allows for vehicles to drive onto Charles Street in forward gear. The pergola is also considered to be an easily removable structure to accommodate any future resumption of land.

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

**Rob Boardman, Executive Manager Environmental and Development Services advised the Presiding Member, Mayor Catania, that the applicant for Item 10.1.9 had sent an email today requesting that consideration of this item be deferred until the next Meeting.**

**10.1.9 No. 131 (Lot 282) Coogee Street, Mount Hawthorn – Proposed Partial Demolition of and Alterations and Two-Storey Additions to Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Mount Hawthorn, P1	<b>File Ref:</b>	PRO 2321; 00/33/1589
<b>Reporting Officer(s):</b>	M Bonini		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner A Van Der Feltz for proposed partial demolition of and alterations and two storey additions to existing single house at No. 131 (Lot 282) Coogee Street, Mount Hawthorn, and as shown on amended plans stamp-dated 10 April 2003 (floor plan and elevations of outbuilding/shed) and 13 June 2003, subject to:*

- (i) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (ii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iii) a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iv) the construction of crossovers shall be in accordance with the Town's specifications;*
- (v) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vi) a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*

- (vii) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (viii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ix) *subject to first obtaining the consent of the owners of No.133 Coogee Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 133 Coogee Street, in a good and clean condition;*
- (x) *no future fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Coogee Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the new front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (xi) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to bedroom 4 and bedroom 6 on the east elevation shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees;*
- (xii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating a wing wall extension on the southern side of the balcony to a maximum protrusion length of 1.0 metre, a minimum height of 1.6 metres above the first floor level and to be of a permanent obscure material. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (xiii) *no plumbing or sanitary facilities or fixtures shall be provided to or within the outbuilding/shed structure without the prior approval of such by the Town ;and*
- (xiv) *the outbuilding structure/shed shall not be used for industrial, commercial or habitable purposes and not for the parking of vehicle s;*

*to the satisfaction of the Chief Executive Officer.*

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**COUNCIL DECISION ITEM 10.1.9**

**Moved Cr Lake, Seconded Cr Doran-Wu**

*That this item be DEFERRED until the next Meeting as requested by the applicant.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**FURTHER REPORT:**

**Privacy Assessment - Bedroom 4 and Bedroom 6 - East Facing Windows**

The east facing windows have been re-assessed as to the likely overlooking impact caused to both adjacent side neighbours. As a result of this, the windows are not considered to pose an undue adverse impact as the general view from the windows will occur over the roof cover of both residences. Therefore, it is not necessary to apply the screening condition to either of these windows.

**Request for Deferral**

The Town has received an email from the owner of the subject property on 24 June 2003, requesting that this item 'to be deferred to 8-7-03 to address the conditions of the officers recommendation'.

**LANDOWNER:** A Van Der Feltz  
**APPLICANT:** As above  
**ZONING:** Metropolitan Region Scheme: Urban  
 Town Planning Scheme No.1: Residential R30

**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Single House
Use Classification	"P"
Lot Area	468 square metres

Setback	Required	Provided
South Ground Floor (Laundry, WC)	1.5 metres	1.1 metres
North Ground Floor (Family)	1.5 metres	1.0 metre
West Ground Floor (Shed)	1 metre	0 metre
Privacy Assessment	Required	Provided
Balcony	7.5 metres to South Boundary or Privacy Screening Implemented	4.5 metres to South Boundary
Bedroom 5 - West Facing Window	4.5 metres to North Boundary or Privacy Screening Implemented	3.5 metres to North Boundary
Bedroom 4 - East Facing Window	4.5 metres to North Boundary or Privacy Screening Implemented	3.5 metres to North Boundary
Bedroom 6 - East Facing Window	4.5 metres to South Boundary or Privacy Screening Implemented	3 metres to South Boundary

**SITE HISTORY:**

The site is occupied by a single storey single house. A right of way abuts the lot on the western side. The right of way is sealed at 4.6 metres in width, and is classified as resumed and vested as per the Town's records.

**DETAILS:**

The proposed development involves a two storey addition to the rear of the existing dwelling with partial demolition to accommodate the addition. The proposal generally complies with the Residential Design Codes (R Codes) and the Town's Town Planning Scheme No. 1 and Policies with the exception of the above non-compliances.

**CONSULTATION/ADVERTISING:**

The proposal was advertised by the Town and one objection was received. The objection received pertains to the proposed balcony. The balcony is addressed in the comments section below.

**COMMENTS:**

**Overshadowing**

An overshadowing assessment was conducted to establish the extent of overshadowing the development would impose onto the adjoining affected southern property. The outcome of this assessment established that a total of 45 square metres of the adjoining property will be overshadowed. This equates to 9.8 percent. This is considered to be within the requirements as per the R Codes. The R Codes stipulate that the shadow cast onto the adjoining property must not exceed 35 percent. Furthermore, the shadow affects yard area where there is no notable outdoor living used by the adjoining neighbours. The overshadowing is therefore in full compliance with the requirements of the R Codes and considered acceptable.

**South Setback for Ground Floor**

The setback variation pertains to the WC and laundry. The addition represents a variation, as the entire wall length of the residence had to be accounted for in order to determine the setback requirement for the addition. The applicant has merely opted to continue the wall of the existing portion of the residence to create a seamless construction as opposed to a jagged construction, which would not promote efficient use of space.

Furthermore, the setback is deficient by 0.4 metre, which is considered to be minor in this instance and affects the single storey aspect of the proposal, imposing virtually no adverse undue impact to the adjoining affected neighbour. The setback variation is therefore considered acceptable and thus supported.

**North Setback for Ground Floor**

The applicant is seeking a setback variation for the northern wall of the ground floor, which is similar in nature and principle to the variation sought for the south setback. The setback is deficient by 0.5 metre and pertains to the family room addition. Once again, to enforce a 1.5 metres setback unnecessarily creates "dead" unusable land and compromises the overall design and outcome of the development. No objection has been received in relation to this variation from the north neighbour and the variation applies only to the ground floor, which is not deemed to cause adverse undue impact to the affected neighbour. On this basis, the variation is considered acceptable and therefore supported.

**Boundary Wall Development**

The R Codes permit boundary wall development on one side boundary with restrictions placed on the height of the boundary wall. In this instance, the proposed development involves boundary walls on two side boundaries of single storey nature. One boundary wall abuts a right of way whilst the second boundary wall affects the north boundary. It is a deviation from the requirements of the R Codes, which has and can be varied.



The boundary wall on the north boundary occupies a minimal length, whilst the west boundary wall has no direct impact upon the western neighbour as the right of way separates the two properties by a distance of 4.6 metres. The boundary walls comply with the height requirement and are not considered to be over imposing, rather they help to make effective use of space for the existing residence on the site. The boundary walls are considered acceptable and therefore supported.

**Privacy Assessment - Balcony**

The privacy assessment of the balcony results in a setback variation pertaining to the south boundary. The setback deviates from the requirement by 3 metres. The R Codes require a setback of 7.5 metres from all boundaries. The general view available from the balcony to the south neighbour is contained to a view of a shed and yard area, which is not considered to be active outdoor living area. Given that the total width of the lot is 11.26 metres, the 7.5 metres clearance from the boundary is considered very difficult to achieve from each side. Screening is evident from the south and north via the bathroom and bedroom 5 effectively screening these two sides. In light of the objection received from the southern neighbour, a wing wall can be applied to the southern side of the balcony to reduce the setback variation and further concentrate the view from the balcony to the extreme rear of the lot. The variations are considered acceptable in this instance and therefore supported subject to a wing wall being implemented.

**Privacy Assessment - Bedroom 5 - West Facing Window**

The window on the west elevation of proposed bedroom 5 on the upper floor does not comply with the privacy assessment to the north boundary. The non-compliant window is proposed to be setback 3.5 metres from the north boundary, posing a setback deficiency of 1.0 metre. Viewing to the northern neighbour would take place at an angle as the positioning of the window does not allow for a direct north view. Therefore, viewing will take place to the rear of the property where there is no noted active outdoor living area to impact upon. No objection has been received from the adjoining affected north neighbour and the setback variation is considered to be minor. On this basis, the setback variation is considered acceptable and therefore supported.

**Privacy Assessment - Bedroom 4 and Bedroom 6 - East Facing Windows**

Both east facing windows do not comply with the setback requirement to the north and south boundaries by a maximum variation distance of 1.5 metres. The variation is not considered to be excessive, however, the east orientation of the windows does present a possible overlooking concern as viewing will be directed towards the north and south residences. It is considered appropriate therefore to appropriately screen these two windows to the requirements of the R Codes, to discount the possibility of undue overlooking to the adjoining affected neighbours.

Compliance has been met in most areas and the variations that do exist are considered to be minor in nature and justified. In view of the above, it is recommended that the proposal be approved, subject to standard conditions and appropriate conditions to address the above matters.

**10.1.12 No. 171 (Lot 325) Walcott Street, Mount Lawley - Proposed Additional Two (2) Two - Storey Grouped Dwellings to Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Norfolk, P10	<b>File Ref:</b>	PRO 1316; 00/33/1669
<b>Reporting Officer(s):</b>	M Bonini		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Perceptions on behalf of the owner B W Griffiths for proposed additional two (2) two - storey grouped dwellings to existing single house on No.171 (Lot 325) Walcott Street, Mount Lawley as shown on plans stamp-dated 6 June 2003, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (iii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iv) a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (v) the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vii) subject to first obtaining the consent of the owners of No.169 Walcott Street, No. 173 Walcott Street and No. 60 Monmouth Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 169 Walcott Street, No. 173 Walcott Street and No. 60 Monmouth Street in a good and clean condition; and*
- (viii) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*

*to the satisfaction of the Chief Executive Officer*

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**COUNCIL DECISION ITEM 10.1.12**

**Moved Cr Cohen, Seconded Cr Chester**

*That the recommendation be adopted.*

*Debate ensued.*

**Cr Torre departed the Chamber at 9.00pm.**

*Debate ensued*

**CARRIED (7-0)**

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

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**LANDOWNER:** B W Griffiths  
**APPLICANT:** Perceptions  
**ZONING:** Metropolitan Region Scheme: Urban – abuts an Other Regional Road  
Town Planning Scheme No.1: Residential R60 – abuts an Other Regional Road  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Grouped Dwellings
Use Classification	"P"
Lot Area	999 square metres

<b>Setback</b>	<b>Required</b>	<b>Provided</b>
<b>Unit 1</b>		
South East - Ground Floor	1 metre	Nil
<b>Unit 2</b>		
North West - Ground Floor	1 metre	Nil
South West- Ground Floor	1 metre to 1.5 metres	Nil to 1.3 metres
North East - Ground and Upper Floors	2.7 metres	1.7 metres

**SITE HISTORY:**

The site is occupied by a two-storey federation style single house.

1999 The Council at its Ordinary Meeting held on 22 November 1999 considered an application for an additional two-storey grouped dwelling to existing single house and resolved to grant conditional approval.

2003 The Council at its Ordinary Meeting held on 22 April 2003 considered a similar application and resolved to refuse the application as the proposal did not comply.

### **DETAILS:**

The current proposal involves two (2) two storey grouped dwellings to an existing dwelling. The proposal generally complies with the Residential Design Codes (R Codes) and the Town's Town Planning Scheme No. 1 and Policies with the exception of the above non-compliances.

### **CONSULTATION/ADVERTISING:**

The application was not advertised as a very similar proposal was previously advertised in the past 12 months. One objection was received by the Town in relation to the previous application from the south east neighbour. In short, the letter mentions the following;

*"Proposed Unit 1 significantly overshadows my property. This problem is exacerbated by the absence of any setback from the common boundary...I am concerned that construction of a parapet wall of this height on the boundary could not be effected without significant damage to the garden on my property.*

*Proposed Unit 2 upstairs bedrooms present a problem with respect to privacy with respect to both bedrooms 2 and 3."*

The proposal occurs along Walcott Street, which is classified as an Other Regional Road (ORR) Reservation. The proposal did not require referral to the Department for Planning and Infrastructure as the development involves less than five dwellings, has no encroachment upon the road reservation and does not involve additional, relocated or new access onto Walcott Street.

### **COMMENTS:**

#### **Heritage**

A heritage assessment of the existing single house is contained in Appendix 10.1.12.

The place is considered to have cultural heritage significance as a fair, representative and uncommon example of a substantial two-storey Inter-War residence, which demonstrates the merging of Federation and Inter-War domestic architectural styles common to Perth after the First World War. The place will be considered for inclusion on the Municipal Heritage Inventory when the draft report concerning the review of the Municipal Heritage Inventory is presented to the Council.

#### **Overshadowing**

In response to the concerns raised with regard to overshadowing from unit 1, an overshadowing assessment was conducted to establish the extent of overshadowing the development would impose onto the adjoining affected property. The outcome of this assessment established that a total of 29.4 square metres of the adjoining property will be overshadowed. This equates to 2.9 percent. This is considered to be within the requirements as per the R Codes. The R Codes stipulate that the shadow cast onto the adjoining property must not exceed 50 percent. Furthermore, the shadow affects yard area where there is no notable outdoor living used by the adjoining neighbours. The overshadowing is therefore in full compliance with the requirements of the R Codes and considered acceptable.

#### **South East Side Setback**

The proposed setback variation corresponds with the lower floor of unit 1. The boundary wall is proposed at a maximum height of 2.9 metres with a total length of 6 metres. As the wall is contained to the newly developed lot at the rear of the subject property, the wall affects the rear portion of the adjoining affected neighbour to the south east. The wall abuts garden area, which is notably dense along the boundary where the wall is proposed.

Furthermore, the proposed boundary wall does not impose upon outdoor living area of the adjoining neighbour. Therefore, the variation is not considered to be excessive or to cause an undue adverse impact upon the amenity of the adjoining residence. The variation is regarded as minor and therefore supported.

#### **North West Side Setback**

The applicant seeks a variation to the setback for the garage of unit 2. The garage is proposed to be located on the north west boundary. The subject wall is single storey in nature reaching a maximum height of 3.1 metres and occupying a maximum length of 6.2 metres. No undue overshadowing is caused as a result of the proposed wall, due to its location in relation to the orientation of the lot. It is also noted that no loss of amenity is imposed to the adjoining affected neighbour on the north west side, as its location is common to the location of an existing garage structure on that site. In addition, no objection was received from the affected adjoining neighbour. The variation is considered acceptable and therefore supported.

#### **South West Rear Setback**

The setback variation for the south west boundary pertains to the entire south west elevation of unit 2. The garage wall is proposed on the boundary and the store is offset slightly from the boundary by 0.12 metre. The rest of the south west elevation is setback by a distance of 1.3 metres. The variation for the garage is of the same nature as the variation sought for the boundary wall on the north west boundary, as the maximum height and length closely corresponds. The imposition to the affected adjoining neighbour to the south west is minimal, as the walls to the garage and store are single storey in nature and occupy a small portion of the total boundary length. The rest of the elevation is non compliant by 0.2 metre, which is considered as a marginal amount for a single storey aspect of the development. In light of this, the proposed variations are considered acceptable and therefore supported.

#### **North East Setback**

There is boundary wall development straddling the proposed lot boundary on the north east side. The boundary wall involves the entire single storey and upper storey wall of the northeast elevation. Given that the wall is internally placed and only affects the front lot on the subject property, it is not deemed to unduly disrupt the amenity of any adjoining neighbours. The variation is therefore supported.

#### **Boundary Wall Development**

The R Codes permit boundary wall development on one side boundary with restrictions placed on the height of the boundary wall. In this instance, the proposed development involves boundary walls on three side boundaries of single storey nature and a two storey boundary wall on the internal proposed boundary on the subject property. Whilst it is a deviation from the requirements of the R Codes, such a provision can be varied. The boundary walls affecting adjoining neighbours are all single storey in nature and occupy minimal lengths on each of the boundaries. The boundary walls are not considered to be over imposing, rather they help to make effective use of space for the development proposed on the site. The internal two storey boundary wall is not deemed to cause any undue loss of amenity to adjoining neighbours, as its impact is contained to the subject property. The boundary walls are considered acceptable and therefore supported.

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

**10.1.11 No. 462 (Lot 2) Beaufort Street (Corner Broome Street), Highgate - Proposed Demolition of the Existing Vehicle Sales Premises Building and Construction of a Car Park**

<b>Ward:</b>	South	<b>Date:</b>	18 June 2003
<b>Precinct:</b>	Mount Lawley Centre, P11	<b>File Ref:</b>	PRO 2339; 00/33/1617
<b>Reporting Officer(s):</b>	S Crawford		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Anthony Michael Design and Drafting on behalf of the owner Hopkins and Braxton Pty Ltd for proposed demolition of the existing vehicle sales premises building and construction of a car park at No. 462 (Lot 2) Beaufort Street (corner Broome Street), Highgate, and as shown on plans stamp-dated 5 May 2003, subject to:*

- (i) *prior to the issue of a Building Licence OR first occupation of the development, for the proposed change of use to eating house and associated alterations and additions at No. 497 (Lot 37) Beaufort Street (corner Mary Street), Highgate, the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee, with or a grant of easement on the subject land in favour of the Town and to its satisfaction, to provide rights of access to/from and use of a minimum of 25 car parking bays on No. 462 Beaufort Street, Highgate. The subject 25 car parking bays are to be provided at no cost for use by the employees, customers and visitors of the eating house at No. 497 (Lot 37) Beaufort Street. The legal agreement shall be secured by a caveat, while the grant of easement shall be registered on the Certificate(s) of Title of the subject land. The legal documentation shall be prepared by the Town's solicitors or other solicitors agreed upon by the Town. All costs associated with this condition being borne by the applicant/owner(s);*
- (ii) *the support/approval of the Department for Planning and Infrastructure and/or the Western Australian Planning Commission and compliance with its comments and conditions at the applicant(s)/owner(s) full expense;*
- (iii) *prior to the commencement of works, revised plans shall be submitted and approved demonstrating the following;*
  - (a) *all car-parking bays shall be dimensioned on the revised plans and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
  - (b) *a minimum of one (1) shade tree being provided for every four (4) car parking bays provided on-site;*
  - (c) *all motor cycle bays being a minimum of 2.5 metres by 1.2 metres in size;*

- (d) bays 1 and 9 each being a minimum of 3.5 metres in width;*
- (e) bays 25, 28, 29 and 33 each being a minimum of 6.2 metres in length;*
- (f) a minimum aisle width for two way traffic of 5.5 metres being provided;*
- (g) bays for people with disabilities being a minimum width of 3.2 metres; and*
- (h) one way traffic shall be clearly marked and/or signposted as such on-site.*

*The revised plan shall result in no greater variation to the Town's Policies;*

- (iv) compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (v) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (vii) 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;*
- (viii) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (ix) the construction of crossovers shall be in accordance with the Town's specifications;*
- (x) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (xi) a road and verge security bond and /or bank guarantee of \$550 shall be lodge prior to the issue of a Building License and be held until all works have been completed and/or any damage to existing Towns assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing.*
- (xii) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (xiii) a detailed landscaping plan, including a schedule of plant species, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (xiv) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site; and*

- (xv) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*

*to the satisfaction of the Chief Executive Officer.*

**COUNCIL DECISION ITEM 10.1.11**

**Moved Cr Cohen, Seconded Cr Lake**

*That the recommendation be adopted.*

**Cr Torre returned to the Chamber at 9.02pm.**

*Debate ensued.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**LANDOWNER:** Hopkins and Braxton Pty Ltd  
**APPLICANT:** Anthony Michael Design and Drafting  
**ZONING:** Metropolitan Region Scheme: Urban – abuts Other Regional Road  
 Town Planning Scheme No.1: Commercial – abuts Other Regional Road  
**EXISTING LAND USE:** Vehicle Sales Premises

**COMPLIANCE:**

Use Class	Car Park
Use Classification	"AA"
Lot Area	1083 square metres

Requirement	Required	Proposed
Aisle width	5.5 metres	6.0 metres reversing room; 3.9 metres single traffic width
Disabled bay width	3.2 metres	3.0 metres
Motor cycle bay width	1.2 metres	1.0 metre
Parallel bay length (bays 25, 28, 29, 33)	6.2 metres	6.0 metres

**SITE HISTORY:**

The site currently supports a vehicle sales premises and associated building. A concurrent application has been submitted to the Town for the property located at No. 497 Beaufort Street, Highgate, which is also being concurrently considered, and subject to a separate Agenda Report. The application for No. 497 Beaufort Street, Highgate seeks to establish an eating house, of which the subject proposed car park is intended to service.



**DETAILS:**

The applicant seeks to construct a car park. The car park proposes to provide 25 bays (one bay for people with disabilities) and five motorcycle bays within the site and a further 8 bays located within the verge of Broome Street. The car park will service the proposed eating house at No. 497 Beaufort Street, Highgate concurrently being considered by Council and subject to a separate Agenda Report. The proposed car park incorporates landscaping which includes; a 1.5 metres width strip to the Beaufort Street frontage, a street corner treatment, and a 1.5 metres width strip along the Broome Street frontage.

**CONSULTATION/ADVERTISING:**

The proposal was advertised and one submission was received from the owner of No. 51 Chatsworth Street, Highgate. The objector states that they would prefer to see a mixed use development, however accepts the proposal is an improvement to that which currently exists. In addition, the objector considers that the parallel bays should be 6.7 metres in length rather than the 6.0 metres as illustrated and that, according to the Town's Policy for Parking and Access, one shade tree should be provided for every four car bays.

The above comments will be addressed within the report.

**COMMENTS:**

**Demolition**

The existing building most likely dates from the late 1950s, with major alteration occurring in 1967 and 1984. The proposed demolition of the existing building on-site is considered acceptable.

**Use**

A car park is a discretionary use within the Town of Vincent Town Planning Scheme within the Commercial zone.

**Mount Lawley Centre Precinct Policy**

The above Policy promotes retail and other similar uses to be concentrated north of Barlee Street, while a range of retail and commercial uses are to occupy the remainder of the Precinct, while the compatibility of all non-residential uses with any adjacent residential uses is to be ensured. The Policy goes further to state that within the Commercial zone between Harold Street and Chatsworth Road, only shops, restaurants and other interactive uses which are considered to offer interest and attraction to pedestrians are to be permitted at ground level.

The subject site falls just outside the specific area identified in the Policy to support only shops, restaurants and other interactive uses. This site is located on the southern side of Broome Street and therefore the greater range of uses as contained within the Zone Table of the Town Planning Scheme can be considered. Thus, the permissibility of the use reverts to a discretionary use within the Scheme.

Furthermore, it needs to be acknowledged that Beaufort Street is particularly difficult with respect to car parking due to the nature of the majority of existing development, which generally does not allow for car parking to be accommodated on a number of sites.

As such, the approach by the applicant seeks to overcome this issue by providing alternative parking in close proximity to the proposed eating house at No. 497 Beaufort Street, Highgate, which is approximately 100 metres away.

It is considered that the manner in which the car park has been proposed, inclusive of landscaping treatments will result in a harmonious provision of a facility for the area in a similar nature to the Town of Vincent public car park located on the corner of Barlee Street.

Overall, the proposed car park is considered to be an appropriate interim short-medium term development on the subject site, and allows for a more appropriate interactive and inner-urban scale and nature development on the site in the longer term.

On this basis, no objection is raised to a car parking use in this location.

### **Reciprocal Car Parking**

The Town's Policy relating to Parking and Access states the following in relation to reciprocal parking:

"ii) *Reciprocal Parking*

*Reciprocal parking arrangements may be considered acceptable where the Town of Vincent is convinced that demand for parking by the uses proposed will not unreasonably coincide.*

*Where reciprocal parking is proposed, the Town of Vincent is to be satisfied that:*

- a) the parking facilities serving the proposed uses will be located on the one lot, or that parking arrangements are permanent (e.g. easement, amalgamation, legal agreement, restrictive covenant or any other formal arrangement the Town of Vincent may require);*
- b) parking demand both in the immediate and long term can be satisfied;*
- c) no substantial conflict will exist in the peak hours of operation of the uses for which the reciprocal parking arrangements are proposed;*
- d) the uses being served by the parking arrangements are compatible (i.e. no overlap demand for parking facilities);*
- e) the number of parking spaces which may be credited from one use to another use does not exceed the number of spaces reasonably anticipated to be in excess of the requirement of the first use during its peak hours of operation; and*
- f) a proposed change of use will comply with the reciprocal parking arrangements, or will satisfy the parking requirement by other means before approval is granted."*

The subject 25 car parking bays on the subject property that are to be provided for use by the employees, customers and visitors of the eating house at No. 497 (Lot 37) Beaufort Street, should be provided at no cost to these users, and legally provided via a legal agreement and caveat or a grant of easement, as detailed in clause/condition (i) of the Officer Recommendation.

### **Car Parking Design**

The Town's Engineering Services have made a number of comments with respect to the layout and dimensions of the proposed car bays that will need to be addressed via revised plans prior to the commencement of works on-site.

These comments include;

- the proposed crossover to Beaufort Street will require Western Australian Planning Commission approval;
- all parking shall be in accordance with Australian Standard 2890.1;
- all motor cycle bays to be 2.5 metres x 1.2 metres in size;
- bays 1 and 9 require 1.0 metre additional width due to their location against the boundary, which reduces manoeuvrability;
- bays 25, 28, 29 and 33 to be 6.2 metres in length;
- the minimum isle width for two way traffic is 5.5 metres; and
- minimum width of the bay for people with disabilities is 3.2 metres.

The applicant has an over provision of car parking on this site in relation to the required car parking to service the proposed eating house as part of the concurrent application. As such, these design changes and their potential to reduce the number of bays to accommodate these requirements does not jeopardise the concurrent application.

With respect to landscaping, the Town's Policy requires one (1) shade tree to be provided per four (4) car parking bays, and a 1.5 metres width landscaping strip to the perimeter of the site. The proposal complies with the latter requirement and the shade tree provision should be conditioned accordingly.

Accordingly, the proposal is recommended for approval, subject to standard and appropriate conditions to address the above matters, as well as to ensure the perpetuity of the proposed car parking arrangements at the current site for the duration of use of the proposed eating house at No. 497 Beaufort Street, Highgate or in consideration of any future change of use.

**10.1.14 No.229 (Lot 108) Walcott Street, Corner of Russell Avenue and Little Walcott Street, North Perth – Construction of Six, Two-Storey Grouped Dwellings with Undercroft Carparking**

<b>Ward:</b>	North	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Norfolk, P10	<b>File Ref:</b>	PRO2124; 00/33/1662
<b>Reporting Officer(s):</b>	J Barton		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by A Churack on behalf of the landowners Penville Holdings Pty Ltd for the proposed construction of six, two-storey grouped dwellings with undercroft carparking at No.229 (Lot 108) Walcott Street, corner of Russell Avenue and Little Walcott Street, North Perth and as shown on plans dated 5 June 2003, subject to:*

- (i) 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;*
- (ii) a road and verge security bond and/or bank guarantee of \$1100.00 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to existing Towns assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iii) a detailed landscaping plan, including a schedule of plant species, the landscaping and reticulation of the Walcott Street, Russell Avenue and Little Walcott Street verges adjacent to the subject property, and the landscaping of the Russell Avenue verge adjacent to the subject property with semi-mature trees to reduce the scale and impact of the development from the street, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (v) the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following;*

- (a) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any proposed front fences and gates adjacent to Russell Avenue and Little Walcott Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency. The solid portion of the fence adjacent to Walcott Street shall be a maximum height of 1.8 metre above natural ground level and shall include a minimum of two appropriate design features, to reduce the visual impact;*
- (b) *one major opening being provided on the Walcott Street north-eastern elevation to each bedroom two on the upper floors of dwelling one and dwelling two for street surveillance;*
- (c) *the courtyard wall along Walcott Street being constructed outside the Other Regional Road Reserve to the satisfaction of the Department for Planning and Infrastructure and/or the Western Australian Planning Commission;*
- (d) *the vehicle accessway off Russell Avenue being a minimum width of three (3) metres; and*
- (e) *sufficient manoeuvring space being provided to the garages to dwellings three and four.*

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

- (vii) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (viii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (ix) *all car-parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (x) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development;*
  - (a) *the south-eastern elevation of the deck on the ground floor level of dwelling six;*
  - (b) *all major openings on the south-eastern/eastern elevation of dwellings two, four and six, apart from the lounge room of dwelling six; and*
  - (c) *the north-eastern elevation of the balcony on the upper floor of dwelling four;*

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

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

*to the satisfaction of the Chief Executive Officer.*

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**COUNCIL DECISION ITEM 10.1.14**

**Moved Cr Lake , Seconded Cr Cohen**

*That the recommendation be adopted.*

*Debate ensued.*

**CARRIED (7-1)**

**For**

Mayor Catania  
Cr Chester  
Cr Cohen  
Cr Farrell  
Cr Franchina  
Cr Lake  
Cr Torre

**Against**

Cr Doran-Wu

**(Cr Ker on approved leave of absence.)**

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**LANDOWNER:**

Penville Holdings Pty Ltd

**APPLICANT:**

A Churack

**ZONING:**

Metropolitan Region Scheme: Urban

Town Planning Scheme No. 1: Residential R60

Walcott Street is an Other Regional Road Reservation.

**EXISTING LAND USE:**

Vacant land

**COMPLIANCE:**

<b>Variations</b>	<b>Requirements</b>	<b>Proposed</b>
<p><b>Setbacks</b></p> <p>Rear (Little Walcott Street)</p> <p>Undercroft Garages Ground Floor Upper Floor</p> <p>South Eastern Side:</p> <ul style="list-style-type: none"> <li>▪ Dwelling Two</li> <li>▪ Dwelling Four</li> <li>▪ Dwelling Six</li> </ul>	<p>1.5 metres 2.5 metres 5 metres</p> <p>1.7 metres-Upper Floor 1.5 metres-Ground Floor 1.5 metres-Upper Floor</p> <p>1.5 metres- Ground Floor 1.5 metres-Upper Floor</p>	<p>1.5 metres to 900 millimetres 1.5 metres 4.1 metres to 5.2 metres</p> <p>1.3 metres 1.3 metres 1.3 metres</p> <p>1.3 metres 1.3 metres</p>
Plot Ratio	0.65	0.85
<p><b>Height</b></p> <p>Dwelling 1-North Western Side Dwelling 2- South Eastern Side Dwelling 4- South Eastern Side</p>	<p>Maximum Height- 7 metres Maximum Height- 7 metres Maximum Height- 7 metres</p>	<p>8.2 metres 9 metres 7.5 metres</p>
<p><b>Access</b></p> <p>Driveways/Crossovers</p>	<p>Not to exceed 40 percent of length of boundary.</p> <p>Not to exceed 9 metres in length on one property.</p>	<p>43 percent in length along Little Walcott Street</p> <p>13 metres in length</p>
<b>Street Surveillance</b>	One habitable room to overlook street.	No surveillance over Walcott Street.
<b>Street Walls and Fences</b>	Wall along Walcott Street should be 1.2 metres solid in height and visually permeable above to 1.8 metres in height.	1.8 metres to 2 metres high solid wall along Walcott Street.
<b>Outdoor Living Areas</b>	Setback behind front setback line.	Within front setback area, along Walcott Street.

<b>Setbacks to Retaining Walls on South Eastern Side</b>	1.2 metres	Nil
<b>Levels</b>	500 millimetres	600 millimetres to 2100 millimetres
<b>Privacy</b>		
Dwelling 4 - Balcony on the Upper Floor, North- Eastern Elevation.	7.5 metres to south-eastern boundary	4.3 metres to south-eastern boundary
Dwelling 6 - Deck on the South-Eastern Elevation.	7.5 metres to south-eastern boundary	5 metres to south-eastern boundary

Use Class	Grouped Dwellings
Use Classification	'P'
Lot Area	1012 square metres

**SITE HISTORY:**

The subject land is currently vacant, as the previous multiple dwelling development was recently demolished on the site.

The site falls, from its highest level at Walcott Street of 19.44 to 10.36 at its south western-most corner at Little Walcott Street. The surrounding area is characterised by single residential to the north along Russell Avenue and multiple dwelling buildings along Walcott and Little Walcott Streets.

On 24 September 2002, Council at its Ordinary Meeting conditionally approved a similar application to construct six, two-storey grouped dwellings with undercroft parking, and the demolition of the existing six multiple dwellings on the site.

The applicants are proposing to amend the previously approved plans, therefore a fresh planning application is required.

**DETAILS:**

The applicant seeks approval to construct six, two-storey grouped dwellings with some undercroft parking on the subject land.

The proposal is similar to the previous approval, however, amendments are proposed to the the plot ratio, retaining, access, heights, outdoor living areas, levels and setbacks.

The previous approval and the subject current proposal have been compared against the current Residential Design Codes (R-Codes) requirements, as shown in the table below:



**Comparison Table**

<b>Requirements</b>	<b>Acceptable Development Requirements (2002 R-Codes)</b>	<b>Approved Proposal</b>	<b>Subject Current Proposal</b>
<b>Setbacks</b>			
<u>Front-Walcott Street</u>	4 metres, minor incursions permitted to 3 metres.	6 metres	4 metres to main facade and minor incursion into streetscape (stairs) at 3.3 metres.
<u>Rear- Little Walcott Street</u>			
Garage	1.5 metres	1.5 metres to planters and 3 metres to garages.	900 millimetres to stairs and 1.5 metres to garages.
Ground Floor	2.5 metres	2.9 metres	1.5 metres
Upper Floor	5 metres	4.8 metres to 7.5 metres	4.1 metres to 5.2 metres
<u>Secondary Street- Russel Street.</u>	1 metre	1.3 metres	1.3 metres
<u>South Eastern Side</u>	1.5 metres to 1.7 metres	1.3 metres	1.3 metres

<b>Plot Ratio</b>	0.65	0.75	0.85
<b>Building Height</b>	7 metres to concealed roof	8.4 metres	9 metres
<b>Levels</b>	500 millimetres	450-1700 millimetres	600-2100 millimetres
<b>Outdoor Living Areas</b>	16 square metres, minimum dimension of 4 metres, behind the front setback area.	In front setback area and four dwellings without ground level courtyards areas.	In front setback area, more courtyards at ground level, increased total outdoor living space, reduced deck space on ground floor and added balconies to first floor.
<b>Street Surveillance</b>	One habitable room to overlook street.	No surveillance over Walcott Street.	No surveillance over Walcott Street.
<b>Setbacks to Retaining Walls</b>	1.2 metres	Nil	Nil

<b>Privacy</b>	7.5 metres to decks	Overlooking from decks and lounge areas (condition imposed for screening)	Overlooking from the deck and lounge (dwelling six).
<b>Access</b> Driveways/Crossovers	Not to exceed 40 percent of length of boundary.  Not to exceed 9 metres in length on one property.	55 percent in length along Little Walcott Street.  17 metres in length.	43 percent in length along Little Walcott Street.  13 metres in length.
<b>Street Walls and Fences</b>	Wall along Walcott Street should be 1.2 metres solid in height and visually permeable above to 1.8 metres in height.	1.8 metres to 2 metres solid wall along Walcott Street (conditioned to be 1.2 metres high solid on previous approval).	1.8 metres to 2 metres high solid wall along Walcott Street.

The applicant submitted a letter of justification, attached at Appendix 10.1.14, mainly in support of the proposed plot ratio variations.

**CONSULTATION/ADVERTISING:**

The advertising period closes on 20 June 2003, and at the date of preparation of the report no submissions have been received. Any submissions received during the advertising period will be reported to the Elected Members at the Ordinary Meeting to be held on 24 June 2003.

The application was previously referred to the Western Australian Planning Commission (WAPC), as Walcott Street is an Other Regional Road. The WAPC supported the previous proposal, subject to the proposed courtyard wall along Walcott Street being constructed outside the Other Regional Road Reserve. Accordingly, a condition should be imposed on the approval to this effect.

**COMMENTS:**

**Setbacks**

The proposed setback variations to the new dwellings are considered acceptable, given the nature of surrounding development and the sense of openness afforded by the three street frontages. Additionally, open space provisions, overshadowing and privacy are not compromised due to the setbacks variations. However, the visual truncations to the garages along Little Walcott Street appear to be restricted as a result of the new stairs. Accordingly, a standard visual truncation condition has been recommended to ensure that the stairs do not restrict sight lines from the garages to Little Walcott Street.

Notwithstanding, it is considered appropriate that the Russell Avenue verge be landscaped with semi-mature trees to reduce the visual impact of the building along the secondary street.

Given the above, and that the Council has approved similar variations on the previous approval, the setback variations are not considered to unduly impact on the amenity of the area and the streetscape and approval is therefore recommended.

**Plot Ratio**

The proposal represents a significant variation to the R-Codes plot ratio requirements, as the proposed plot ratio is 0.85, in lieu of 0.65. However, the approved plot ratio on the previous application also exceeds the current requirements, when assessed in accordance with the current plot ratio definition, as it was approved at 0.75.

A plot ratio table has been included below, in order to compare the previously approved plot ratio area with the proposed plot ratio area.

**Plot Ratio Area Comparison Table**

<b>Floor Level</b>	<b>Approved Proposal-Square Metres</b>	<b>Subject Current Proposal-Square Metres</b>
Basement Level	0	0
Ground floor		
• Living Areas	292.8	360.4
• Stairs*	43.2	41.4
• Deck Areas	98.4	44.4
Upper Floor		
• Living Areas	328.2	358.8
• Deck Areas	N/A	58
Total Area	762.6	863
<b>Plot Ratio</b>	<b>0.75</b>	<b>0.85</b>

\* Stairs only constitute one level of floorspace.

The proposed plot ratio variation is predominantly due to an increase in the size of the living areas on the ground and upper floors, and the addition of upper floor balconies, which are not open on two sides and are therefore included in the plot ratio calculation.

Although the balcony and deck areas are not open on two sides, they still offer a sense of openness in comparison to fully enclosed indoor living space. Additionally, if all the balconies and decks were open on two sides, as demonstrated in the attached demonstration plan, the plot ratio would equal 0.75, which is considered reasonable for a development of this scale, along three street frontages. Furthermore, by modifying the balconies and decks to be open on two sides, as shown in the attached demonstration plan, the bulk and scale of the building will still remain relatively the same as the proposed plans.

In this instance, given the sense of openness afforded to the site by the three street frontages and the amount of deck and balcony space, the scale of surrounding developments and that the previous plot ratio was approved at 0.75, it is not considered that the proposed plot ratio increase will create an undue, adverse impact on the streetscape or the area generally.

**Building Scale and Height**

The proposed undercroft parking results in the proposal being viewed as a three-storey building, and the resultant wall heights to some of the dwellings exceed the maximum 7 metres building height requirements under Clause 3.7.1 of the R-Codes.

Notwithstanding the above, it is not considered that the scale and height of the buildings are out of character with the existing height of buildings in the area. Also, the proposal replaces a three-storey multiple dwelling development, which was recently demolished on the subject land. Additionally, the undercroft garages to dwelling one and dwelling two are not highly visible along Walcott Street, therefore the proposal only appears as a two storey development when viewed from the primary street.

In light of the above, and given that the proposal complies with the R-Codes overshadowing requirements and that the previous application proposed a maximum building height of 8.4 metres, it is therefore considered that the minor 600 millimetres height increase would not have an undue, adverse impact on the amenity of the streetscape, or the area generally. Approval is therefore recommended.

### **Privacy**

The proposal represents a vast improvement to the previous approval in terms of visual privacy, as the previous plans included more open deck areas on the ground floor, which required extensive screening to prevent overlooking into the adjoining property. The new application proposes to reduce the ground floor deck areas by providing upper floor balconies, all of which are screened from the neighbouring property by strategically positioned stairwells. Although, it should be noted that the ground floor deck area to dwelling five and dwelling six has been extended towards the rear, however, the 7.5 metres line of sight does not encroach into the neighbouring property at the rear as Little Walcott Street is approximately 9 metres wide. The other areas of overlooking on the south-eastern elevation are minor and have been addressed below.

The window to bedroom two in dwelling four is elevated and therefore should be obscure to 1.6 metres high to prevent unreasonable overlooking into the adjoining property. Additionally, screening is required to 1.6 metres on the south-eastern side of the deck to dwelling six to prevent overlooking into the adjoining property. Furthermore, the balcony on the upper floor of dwelling four on the north-eastern elevation also overlooks the adjoining property, and screening is therefore considered necessary. However, it is not considered necessary to impose the screening condition to the lounge to dwelling six, as the boundary fence will prevent undue overlooking into the neighbouring property. Additionally, the boundary fence will screen the other elevated outdoor living areas.

Furthermore, the rest of the windows on the south-eastern elevation are shown on the plans as obscure to 1.4 metres high. A standard privacy condition is required to ensure that the windows are obscured and fixed to 1.6 metres in height, in accordance with the current privacy requirements of the R-Codes.

### **Fences**

Pursuant to the Town's Policy relating to Street Wall and Fences, front walls and fences within the primary street setback should be visually permeable 1.2 metres above natural ground level. The proposal represents a variation to this requirement, as a 1.8 metres to 2 metres high wall is proposed within the front setback area along Walcott Street.

However, given that the subject land is situated abng Walcott Street, which is a District Distributor Road, the variation is considered acceptable as the wall will screen the north facing outdoor living area from exhaust fumes, and it will provide protection from noise and headlight glare. Furthermore, the proposal will not be out of character with the existing streetscape, as there are numerous examples of existing solid front walls and fences along Walcott Street.

Given the above, and that the proposal adequately addresses the relevant performance criteria for front walls and fences, the variation is considered acceptable in this instance. However, it is considered appropriate to restrict the height of the front fence to 1.8 metres from natural ground level and to incorporate at least two design features into the design of the fence to reduce the visual impact from the street, as per the Town's Policy. Accordingly, a condition has been recommended to this effect.

### **Retaining and Fill**

Given that the site has a maximum difference in levels from Walcott Street to Little Walcott Street of 9.08 metres, fill and retaining over 500 millimetres is required to create a level site more suitable for development.

Nevertheless, the proposal is considered to address the R-Codes performance criteria, as the proposed development retains the visual impression of the site, as viewed from the primary street. Also, the setback variations to the retaining walls are not considered to unreasonably impact on the amenity on the adjoining south-eastern property in terms of visual privacy and overshadowing.

Given the above, and that surrounding developments are characterised by significant retaining and extensive wall heights, the proposal is considered acceptable in this instance.

#### **Vehicular Access**

The proposed driveways/ crossovers comprise 43 percent of the length of the rear of the lot along Little Walcott Street, and 13 metres in total length on the subject site, and therefore do not comply with the acceptable development requirements of the R-Codes. However, the driveways/ crossovers have been significantly reduced in length from the previous approval.

In light of the above, the proposal is considered to be a vast improvement to the previous application and it is not considered to detract from the streetscape, or create an adverse impact on the area generally. Given this, the proposal is considered to satisfy the relevant performance criteria under Clause 3.5.4 (Vehicular Access) of the R-Codes, and approval is therefore recommended.

#### **Street Surveillance**

Pursuant to Clause 3.2.4 (Surveillance of the Street) of the R-Codes, *"at least one habitable room window of the dwelling has a clear view of the street and the approach to the dwelling"*.

The proposal does not meet the above performance criteria, as the front dwellings do not provide sufficient surveillance over Walcott Street

In this instance, it is considered appropriate to condition the approval so that dwelling one and dwelling two are provided with a major opening to each bedroom two on the upper floor facing Walcott Street.

#### **Outdoor Living Areas**

The proposal does not comply with the requirements of Clause 3.4.2 of the R-Codes, as the outdoor living areas to both dwellings along Walcott Street encroach into the front setback area. However, the R-Codes may permit variations to this requirement if the outdoor living areas are, *"capable of use in conjunction with a habitable room of the dwelling, and if possible, open to winter sun"*.

Given that the outdoor living areas to dwelling one and dwelling two are facing north-east and are accessible from habitable rooms, the proposed variation is considered to adequately address the relevant performance criteria. Approval is therefore recommended.

#### **Summary**

In light of the above, and given the previous approval, the surrounding developments in the locality and site constraints, the application is considered to represent a reasonable redevelopment of the subject land.

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

**10.1.15 No. 497 (Lot 37) Beaufort Street (Corner Mary Street), Highgate - Proposed Change of Use to Eating House and Associated Alterations and Additions**

<b>Ward:</b>	South	<b>Date:</b>	18 June 2003
<b>Precinct:</b>	Mount Lawley Centre, P11	<b>File Ref:</b>	PRO 2340; 00/33/1614
<b>Reporting Officer(s):</b>	S Crawford P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Anthony Michael Design and Drafting on behalf of the owner PD and AD Robinson for proposed change of use to eating house and associated alterations and additions at No. 497 (Lot 37) Beaufort Street (corner Mary Street), Highgate, and as shown on plans stamped 8 May 2003, subject to:*

- (i) *prior to the issue of a Building Licence OR first occupation of the development, whichever occurs first, the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee, with or a grant of easement on the subject land in favour of the Town and to its satisfaction, to provide rights of access to/from and use of a minimum of 25 car parking bays on No. 462 Beaufort Street, Highgate. The subject 25 car parking bays are to be provided at no costs for use by the employees, customers and visitors of the eating house at No. 497 (Lot 37) Beaufort Street. The legal agreement shall be secured by a caveat while the grant of easement shall be registered on the Certificate(s) of Title of the subject land. The legal documentation shall be prepared by the Town's solicitors or other solicitors agreed upon by the Town. All costs associated with this condition being borne by the applicant/owner(s);*
- (ii) *the car parking area(s) on No. 462 (Lot 2) Beaufort Street, Highgate, 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;*
- (iii) *compliance with all relevant Environmental Health, Engineering and Building requirements, including toilet facilities for people with disabilities;*
- (iv) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (v) *a road and verge security bond and /or bank guarantee of \$550 shall be lodge prior to the issue of a Building License and be held until all works have been completed and/or any damage to existing Towns assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing.*
- (vi) *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;*

- (vii) *the eating house public floor area shall be limited to a maximum of 141 square metres;*
- (viii) *doors and windows and adjacent floor areas fronting Beaufort Street and Mary Street shall maintain an active and interactive relationship with these streets; and*
- (ix) *prior to the first occupation of the development, five (5) bicycle parking facilities shall be provided at a location convenient to the entrance of the eating house. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*

*to the satisfaction of the Chief Executive Officer.*

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**COUNCIL DECISION ITEM 10.1.15**

**Moved Cr Torre , Seconded Cr Chester**

*That the recommendation be adopted.*

*Debate ensued.*

**Cr Lake declared an Interest Affecting Impartiality.**

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**LANDOWNER:** PD and AD Robinson  
**APPLICANT:** Anthony Michael Design and Drafting  
**ZONING:** Metropolitan Region Scheme: Urban – abuts Other Regional Road  
Town Planning Scheme No.1: Commercial – abuts Other Regional Road  
**EXISTING LAND USE:** Shop

**COMPLIANCE:**

Use Class	Eating House
Use Classification	"P"
Lot Area	448 square metres

<b>Requirement</b>	<b>Required</b>	<b>Proposed</b>
Car parking *	31 bays	25 bays at No. 462 Beaufort Street, Highgate
Bicycle parking	4 rails	Nil

\* Refer to "Comments - Car Parking"

**SITE HISTORY:**

The site currently supports a shop that operates in the front portion of the building fronting Beaufort Street. A concurrent application has been submitted to the Town for the property located at No. 462 Beaufort Street, Highgate, which is also being concurrently considered, and subject to a separate Agenda Report. The current application seeks to establish an eating house at No. 497 Beaufort Street, Highgate of which the proposed car park at No. 462 Beaufort Street, Highgate is intended to service.

**DETAILS:**

The applicant seeks a change of use to accommodate an eating house at the subject site. The existing premises cover 100 per cent of the existing site, removing the possibility of providing car parking on-site. In order to address this aspect, the applicant has leased a property located at No. 462 Beaufort Street, Highgate to achieve their car parking requirement.

**CONSULTATION/ADVERTISING:**

The proposal was advertised and one submission was received from the owner of No. 51 Chatsworth Street, Highgate. The objector suggests that any shortfall in car parking should only be calculated based on the current area being utilised by the shop, not the entire premises. Furthermore, the objector urges the Town to ensure that the proposed car parking as part of the concurrent application is to remain in perpetuity for the life of the existing house use.

The above comments will be addressed within the report.

**COMMENTS:**

**Use**

An eating house is a permitted use within the Town of Vincent Town Planning Scheme within the Commercial zone.

**Mount Lawley Centre Precinct Policy**

The above Policy promotes retail and other similar uses to be concentrated north of Barlee Street, while a range of retail and commercial uses are to occupy the remainder of the Precinct, while the compatibility of all non-residential uses with any adjacent residential uses is to be ensured. The Policy goes further to state that within the Commercial zone between Harold Street and Chatsworth Road, only shops, restaurants and other interactive uses which are considered to offer interest and attraction to pedestrians are to be permitted at ground level.

The Policy also promotes buildings to be constructed up to the Beaufort Street alignment with weather protection being provided over the footpath, and facades along Beaufort Street having continuous interactive fronts (particularly between Harold Street and Chatsworth Road). With respect to this, the applicant is not seeking any changes to the proposed façade of the building. However, it is considered appropriate to require a schedule of colours and finishes to be approved in order to address the proposed colour schemes and treatments associated with the proposal in order to ensure the streetscape values and contribution are of a high standard.

The proposal complies with the above intent of the Policy and therefore no objection is raised to the proposed use.

**Reciprocal Car Parking**

The Town's Policy relating to Parking and Access states the following in relation to reciprocal parking:

*"ii) Reciprocal Parking*

*Reciprocal parking arrangements may be considered acceptable where the Town of Vincent is convinced that demand for parking by the uses proposed will not unreasonably coincide.*

*Where reciprocal parking is proposed, the Town of Vincent is to be satisfied that:*



- a) *the parking facilities serving the proposed uses will be located on the one lot, or that parking arrangements are permanent (e.g. easement, amalgamation, legal agreement, restrictive covenant or any other formal arrangement the Town of Vincent may require);*
- b) *parking demand both in the immediate and long term can be satisfied;*
- c) *no substantial conflict will exist in the peak hours of operation of the uses for which the reciprocal parking arrangements are proposed;*
- d) *the uses being served by the parking arrangements are compatible (i.e. no overlap demand for parking facilities);*
- e) *the number of parking spaces which may be credited from one use to another use does not exceed the number of spaces reasonably anticipated to be in excess of the requirement of the first use during its peak hours of operation; and*
- f) *a proposed change of use will comply with the reciprocal parking arrangements, or will satisfy the parking requirement by other means before approval is granted."*

The subject 25 car parking bays to be provided on No. 462 (Lot 2) Beaufort Street for use by the employees, customers and visitors of the eating house at No. 497 (Lot 37) Beaufort Street, should be provided at no cost to these users, and legally provided via a legal agreement and caveat or a grant of easement, as detailed in clause/condition (i) of the Officer Recommendation.

**Car Parking Provision**

As the site is 100 per cent developed with an existing building, there is no opportunity to provide on-site car parking for patrons. In order to address this, the applicant has leased premises at No. 462 Beaufort Street, Highgate which is intended to be developed as a car park. This site is proposed to provide 25 car parking bays (1 being a bay for people with disabilities) and 5 motorcycle bays, with a further 8 bays being provided within the Broome Street verge, and associated landscaping. No. 462 Beaufort Street, Highgate is located approximately 82 lineal metres from No. 497 Beaufort Street, Highgate.

Clause 10 of the Town's Parking and Access Policy allows for car parking requirements to be adjusted in certain circumstances. In this instance, the following adjustments are applicable, including the adjustment criteria and reduction factors.

Car Parking Requirement (nearest whole number): Eating House (141.26 square metres)	31 car bays
Apply the adjustment factors: <ul style="list-style-type: none"> <li>• 0.85 (within 400 metres of a bus stop)</li> <li>• 0.95 (within 400 metres of an existing public car parking with an excess of 25 spaces)</li> <li>• 0.95 (parking facilities for bicycle users)*</li> </ul>	(0.77) 23.87 car bays
Minus the car parking provided at No. 462 Beaufort Street, Highgate: 25 bays	1.13 car bays surplus
Minus the existing shortfall on-site: 14.12 car bays	15.25 car bays surplus
Resultant surplus	15.25 car bays surplus

\* This adjustment factor reflects condition/clause (ix) of the Officer Recommendation.

**Bicycle Parking Facilities:**

<b>Required</b>	<b>Provided</b>
1 space (Class 1 or 2) per 100 square metres of public area for employee, therefore 2 spaces required.	No bicycle parking shown on plans.
2 spaces (Class 3) plus 1 space per 100 square metres of public area for visitors, therefore 3 spaces required.	No bicycle parking shown on plans.

In calculating the existing shortfall of car parking on-site the entire building was considered. This approach was taken as there is no record that any restriction to the shop use was imposed on this site. As such, the suggestion by the objector to only consider that element of the building currently being utilised as a shop is not consistent with the existing use, which would permit the entire premises to be utilised. As such, the current use of the premises is considered to encompass the entire floor area, which was the basis for the calculation of the existing shortfall.

The Town's Policy relating to Parking and Access also requires bicycle facilities and landscaping requirements. The applicant is required to provide bicycle car parking at a rate of two spaces per 100 square metres of public floor area according to the Town's Policy relating to Parking and Access. As such, in this instance five (5) bicycle parking facilities will need to be incorporated. It is considered appropriate to locate the bicycle parking at the restaurant site, rather than incorporating this into the car parking provision being made at No. 462 Beaufort Street, Highgate. As the applicant has not demonstrated bicycle facilities, this aspect should be addressed via a condition of approval. With respect to landscaping this is more appropriately addressed as part of the concurrent application.

From the above, the proposal has a resultant excess provision of 15.25 car parking bays. As such, the site has an over-supply of car parking provision and is in accordance with the provisions of the above Policy.

Accordingly, the proposal is recommended for approval, subject to standard conditions and appropriate conditions to address the above matters as well as to ensure the perpetuity of the proposed car parking arrangements at No. 462 Beaufort Street, Highgate for the duration of use of the current site as an eating house or in consideration of any future change of use.

**10.1.17 Review of the Town of Vincent Town Planning Scheme No. 1 - Scheme Examination Report and Community Visioning Process**

<b>Ward:</b>	Both Wards	<b>Date:</b>	18 June 2003
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0100; PLA0140
<b>Reporting Officer(s):</b>	H Coulter		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) receives the report relating to the Review of the Town of Vincent Town Planning Scheme No. 1 - Scheme Examination Report and Community Visioning Process, and Appendices 10.1.17(a) and 10.1.17(b) relating to the Scheme Examination Report and Community Visioning, respectively;*
- (ii) receives and endorses the Scheme Examination Report on the operation of the Town of Vincent Town Planning Scheme No.1, as required by Section 7AA of the Town Planning and Development Act 1928 (as amended), as contained in Appendix 10.1.17 (a); and*
- (iii) pursuant to Section 7AA of the Town Planning and Development Act 1928 (as amended), forwards to the Western Australian Planning Commission (WAPC) and the Minister of Planning and Infrastructure the Scheme Examination Report on the operation of the Town of Vincent Town Planning Scheme No. 1, and requests the approval of the WAPC and the Minister of Planning and Infrastructure for the preparation of a new town planning scheme alongside a community visioning process.*

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**COUNCIL DECISION ITEM 10.1.17**

**Moved Cr Farrell, Seconded Cr Chester**

*That the recommendation be adopted.*

**Cr Torre departed the Chamber at 9.20pm.**

*Debate ensued.*

**CARRIED (7-0)**

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

**Cr Torre returned to the Chamber at 9.22pm.**

**COMMENTS:**

As outlined in the Agenda Report regarding Items (iii) (c), (d) and (e) of the Council resolution at the Ordinary Meeting held on 24 June 2003, there is limited consistent information readily available to accurately portray and analyse trends/changes in the Town through the Precincts. Similarly, information regarding numbers of demolitions is not accurate given that prior to the Town's formation; information regarding demolition was not detailed by the Perth City Council and since the Town's inception, differing data storage systems have been implemented, which has resulted in data that is not readily comparable.

Similarly, the Town currently does not have equivalent records (that is, aerial photographs, rates records, land-use surveys, building outline maps), which provides this information.

The intention of the Scheme Examination Report is to provide a brief overview of the Town for the express purpose of gaining the Minister's approval to commence preparation of a new Town Planning Scheme.

The Local Planning Strategy will be prepared as part of the Town Planning Scheme Review process. The Local Planning Strategy will address the following elements:

- \* a description of the key characteristics of the local government, its regional context and major planning issues;
- \* a Statement of Aims explaining the strategic land use directions, which the local government is seeking to pursue (these should become the aims of the Scheme);
- \* land use or development opportunities and constraints, which provide a context for local planning decisions;
- \* the links between strategic planning in the local government and the state and regional planning context, including the objectives of surrounding local governments in the region;
- \* strategic policy statements about key issues such as housing, industry and business, open space and recreation, transport, infrastructure, environment, townsites and rural land;
- \* more detailed policies and proposals for particular areas or specific issues contained in the strategy; and
- \* an outline of how the strategy will be implemented (including reference to any local planning policies and guidelines, which may be required), as well as planning scheme measures and proposals of the State and local government to facilitate development, including capital works.

Therefore, most the details required to be addressed in the Scheme Examination Report as per the Council resolution of 24 June 2003, including Items (iii) (c), (d) and (e), are usually addressed in the Local Planning Strategy, and not the Scheme Examination Report. Notwithstanding the above, the Town will further explore the obtaining of information relating to Items (iii) (c), (d) and (e), and more appropriately address this information as part of the Local Planning Strategy, and not the Scheme Examination Report.

The Community Visioning and Local Planning Strategy processes will also involve comprehensive community consultation.

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## **BACKGROUND:**

- 14 May 2002                      At the Ordinary Meeting of the Council, a Notice of Motion relating to, inter alia, as part of the Town Planning Scheme Review, the Town of Vincent adopts in principle the process of a 'non-discretionary' Town Planning Scheme.
- 25 June 2002                      In response to the above Notice of Motion, a comprehensive report detailing the legal implications and likely consequences of the Town adopting such a non-discretionary approach in its Town Planning Scheme was presented to the Council at its Ordinary Meeting. The Council resolved that this item "*Lie on the Table*" however, a Special Council Meeting was requested whereby Elected Members' comments could be incorporated into a report on this matter.

- 15 October 2002      A further report regarding the above matter and including the comments of one Elected Member were presented to the Ordinary Meeting of Council, however it was again resolved that this matter "*Lay on the Table*".
- 3 December 2002      The Council considered a report regarding the review of Town Planning Scheme No.1, and resolved as follows:  
"That;
- (i)      *the Council receives the report relating to the review of the Town of Vincent Town Planning Scheme No 1;*
  - (ii)      *the Council authorises the Chief Executive Officer to prepare a scheme examination report on the status and operation of the Town of Vincent Town Planning Scheme No. 1, and prior to the preparation of the examination report, the Council requests the Minister for Planning and Infrastructure for an exemption from the requirement to invite submissions from the public on the desirability of a review of the scheme, as it is considered that the existing scheme will need to be reviewed and a new scheme prepared; and*
  - (iii)      *the Council authorises the Chief Executive Officer to convene an Elected Members' briefing session prior to the preparation of the scheme examination report for Elected Members to have input in the preparation of the examination report."*
- 18 February 2003      A Report to the Council's Special Meeting detailed a community consultation procedure on whether a review of the Scheme was in fact desirable. The Council resolved the following:  
"That the Council;
- (i)      *receives the report relating to the review of the Town of Vincent Town Planning Scheme No. 1;*
  - (ii)      *authorises the Chief Executive Officer to invite submissions from the public for a period of 28 days on whether a review of Town Planning Scheme No.1 is desirable. The request for submissions from the public will be accompanied by an Information Sheet that addresses the general background, steps involved in the review of the Town Planning Scheme, the purpose of the subject submission period, and the nature of comments sought;*
  - (iii)      *authorises the Chief Executive Officer to prepare a scheme examination report on the status and operation of the Town of Vincent Town Planning Scheme No.1 in accordance with the Western Australian Planning Commission Planning Bulletin Number 15, June 1996 - Town Planning Scheme-Examination and Review, and taking into consideration any comments received from Elected Members and the public during the above submission period, including, but not limited to, the following:*

- (a) *a community demographics profile as a comparison with the Perth Metropolitan area and identify any changes/trends in the Town and Precincts from the ABS statistics of 1991, 1996 and 2001;*
  - (b) *a population report and identify any changes/trends in the Town and Precincts from the ABS statistics of 1991, 1996 and 2001;*
  - (c) *the numbers and type of dwellings/commercial buildings and identify any changes/trends in the Town and Precincts between 1991 and 2001;*
  - (d) *the number of vacant blocks and identify any changes/trends in the Town and Precincts between 1991 and 2001; and*
  - (e) *the number of demolitions and identify any changes/trends in the Town and Precincts between 1991 and 2001;*
  - (f) *a report on the Department of Planning and Infrastructure's range of series of population projections for the Town of Vincent; and*
  - (g) *the role of the Municipal Heritage Inventory Review in the Town Planning Scheme Review and implications for the Municipal Heritage Inventory Review Itself; and*
  - (h) *progress with and likely outcomes of the future Perth Strategic Land Use Planning Study for the Perth Metropolitan Region; and*
- (iv) *authorises the Chief Executive Officer to prepare and present a report to the Council at its Ordinary Meeting to be held in May 2003 addressing the public submissions received during the above submission period and the above scheme examination report."*

#### **DETAILS:**

The Town Planning and Development Act 1928 (Clause 7AA Review of Schemes) requires a Town Planning Scheme to be reviewed in each fifth year following the promulgation/gazettal of the Scheme. The Town of Vincent Town Planning Scheme No.1 was gazetted/promulgated on 4 December 1998 and therefore is due for formal review by 4 December 2003.

Prior to formally reviewing the Scheme, the Town is required to examine its current Scheme through a report (referred to as the Scheme Examination Report - (SER)) to the Minister for Planning and Infrastructure on the operation of the Scheme as the first legal step of the Scheme Review.

Before making its SER, a local government must prepare a consolidation of the Scheme and invite submissions from the public on whether a review of the Scheme is desirable.

#### **STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 – Key Result Areas: 1.1 *“Implement Town Planning Scheme No. 1 and associated policies and guidelines”.*

Draft Strategic Plan 2002-2007 – Key Result Area One: Environment and Infrastructure.

*"1.3...Develop, implement and promote sustainable urban design.*

*c) Review the Town Planning Scheme to:*

- *encourage diversity throughout the Town;*
- *encourage hubs or centres of community within the Town;*
- *review residential densities;*
- *review zoning."*

### **FINANCIAL IMPLICATIONS:**

The current 2002/2003 Budget lists \$65,000 for Town Planning Scheme Amendments and Policies, which is sufficient to cover the first year of the review process however, additional funds will need to be considered for the 2003/2004 Budget.

The Council resolved to allocate \$40,000 for a Community Visioning process in the 2003/2004 Draft Budget at its Ordinary Meeting held on 27 May 2003.

### **COMMENTS:**

#### **Community Consultation**

In accordance with clause (ii) of the Council's resolution of 18 February 2003, an invitation to the public to comment on the desirability of a Scheme Review was carried out during April 2003. The method of consultation used was an information sheet and questionnaire designed to pick up respondents reactions and thoughts on town planning in the Town and the way in which they perceive the Town to grow over the next 10-20 years.

The questionnaire was distributed via the Town's Newsletter in March to 15,484 households and businesses within the Town. A further 4,645 questionnaires were sent to absentee landowners by mail.

At the close of submissions, 173 responses were received, including comprehensive responses from the Precinct Groups of Norfolk, Leederville, Smith's Lake, Mount Hawthorn and Forrest. The areas of North Perth and Mount Hawthorn were well represented with 30.8 per cent and 26.16 per cent, respectively, of the responses being received from these areas.

Sixty-six per cent of the respondents indicated that a review of the Scheme was desirable. Apart from ascertaining residents and ratepayers thoughts on the desirability of a Scheme Review, this initial form of consultation proved to be an invaluable tool for the Town to gauge a preliminary understanding of how residents and ratepayers view recent development in their areas and how they would like the Town to grow.

An analysis of the data received from the consultation is included as an Appendix to the Scheme Examination Report.

#### **Scheme Examination Report**

The Town's Scheme Examination Report (SER) has been prepared in accordance with the Western Australian Planning Commission's Planning Bulletin No.15, and includes the additional items listed in clause (iii) of Council's resolution adopted at its Special Meeting held on 18 February 2003. With regard to Items (iii) (c), (d) and (e), it is noted that limited consistent information is readily available to accurately portray these matters. The SER is attached as Appendix 10.1.17(a) to this report.

The SER is required to contain some brief statements on the status of the current Scheme and its operation in its active years, such as:

- \* the age of the Scheme and the number of amendments made to it;
- \* whether the Scheme has fulfilled its original objectives, and if there have been significant changes in the district to require revision of the Scheme;
- \* any limitations found in the administration of the Scheme;
- \* the effectiveness of the Scheme provisions to control and guide land use and development in the district;
- \* the extent the Scheme conforms with the Metropolitan Region Scheme; and
- \* Council's conclusions on whether the Scheme should be reviewed through preparation of a new Scheme, revoked, or declared as a consolidated Scheme.

If Council concludes that the Scheme should be reviewed by the making of a new Town Planning Scheme, the report should include some information regarding the objectives and format of the new Scheme, and the timing and preparation of it.

In essence, the Scheme Examination Report concludes that Town Planning Scheme No.1 should be reviewed. Accordingly, it is recommended that the Council forward the Scheme Examination Report to the Minister for Planning and Infrastructure requesting approval for the preparation of a new scheme.

### **Town Planning Scheme Review Process**

The review of the Town's Town Planning Scheme No.1 and the preparation and promulgation of a new town planning scheme will result in the following two (2) main documents:

- (i) The Local Planning Strategy-  
A local planning strategy is the strategic basis and framework for the new town planning scheme and is to-
  - (a) set out the long-term planning directions for the Town;
  - (b) apply State and regional planning policies; and
  - (c) provide the rationale for the zones and other provisions of the scheme; and
- (ii) The new Town Planning Scheme-  
A town planning scheme is a legally binding document that prescribes the requirements for the use and development of land in the Town. The town planning scheme comprises the following two (2) documents-
  - (a) town planning scheme text; and
  - (b) town planning scheme maps.

The Town may also have policies prepared, advertised and adopted pursuant to the town planning scheme as is the case currently with Town Planning Scheme No. 1 and associated Policies.

<b>Stages</b>	<b>Main Milestones</b>
1	Preparation of a scheme examination report (SER) on the status and operation of Town Planning Scheme No. 1. The SER, including submissions from the public on the desirability of a review of the scheme, concludes that the existing scheme needs to be reviewed and a new scheme prepared.
2	Consideration and determination of the contents, conclusions and recommendations of the scheme examination report by the Council and then the Western Australian Planning Commission and Minister for Planning and Infrastructure.
3	Council resolution to prepare a new town planning scheme alongside a Community Visioning process.
4	Preparation of a local planning strategy.
5	Preparation of a new town planning scheme.
6 onwards	Advertising, adoption, approval, endorsement and promulgation of the local planning strategy and new town planning scheme.  The local planning strategy and new town planning scheme will generally be adopted, advertised and endorsed, concurrently.



<b>Timeframe</b>	<p>The project commenced in early November 2002, and the entire project to promulgation of the new town planning scheme is expected to take up to 2 years.</p> <p>The timeframe includes the Community Visioning process and the minimum consultation period of 3 months required to advertise the Town Planning Scheme.</p>
<b>Estimated Cost</b>	<p>The estimated cost in undertaking a full review of Town Planning Scheme No. 1 and preparation of a new town planning scheme would be up to \$100,000. The associated costs would be required to cover various and numerous tasks, including the following:</p> <ul style="list-style-type: none"> <li>• Additional 'in house' resources or out-sourcing of the project. It is considered most appropriate and effective that the project is undertaken 'in house';</li> <li>• Extensive community consultation of both the draft local planning strategy and new town planning scheme; and</li> <li>• Legal advice; and production of the draft and final documentation.</li> </ul> <p>The Community Visioning process is proposed to be funded with \$40,000 from the 2003/2004 Budget.</p>

### Community Visioning

Notwithstanding the above, the Council at its Ordinary Meeting held on 27 May 2003 adopted the following Notice of Motion relating to a process known as 'Community Visioning':

- "(i) the Council allocates \$40 000 for consideration in the 2003/4 draft budget for the purposes of "Community Visioning" prior to the Town Planning Scheme Review;*
- (ii) the Chief Executive Officer be requested to prepare a report for the Ordinary Meeting of Council to be held in June 2003 on "Visioning", the "Visioning Process", the Town Planning Scheme Review and the Town Strategic Planning Process; and*
- (iii) the "Visioning" include;*
  - (a) but not be limited to, public workshops, telephone polls, written surveys; and*
  - (b) all stakeholders, including but not limited to, residents, ratepayers, Elected Members and Council staff."*

Accordingly, the following excerpts by Steven C Ames on 'What is Visioning?' briefly outlines the concept along with the four step process used in Portland, Oregon.

*"Visioning is a process through which a community can develop a strategic vision for its future and then plans how to achieve it. It brings people together to develop a shared image of 'where' they want their community to be in the future. Once a community has envisioned where it wants to be, it can begin to consciously work toward that goal. A vision is the guiding image of what a community would like to be, and a vision statement is the formal expression of such a vision. It depicts in words and images what the community seeks to become - how it would look, how it would function, how it might be different or better. A vision statement is also the starting point for the development and implementation of a strategic action plan that can help the community mobilise to achieve its vision over time."*

*"The most publicised and renown model of community visioning is the Oregon Model. The Oregon Model for community visioning involved a comprehensive four-step process. Each step focused on a driving question, involving different activities, and resulting in specific products."*

While all four steps are recommended, a community may choose to follow only some of them or to undertake specific activities at different points in the process. The model allows for these kinds of changes and flexibility. The four steps in the Oregon Model are:

**Step One: Profiling the Community.** The first step is to profile the community as it exists in the present. This involves identifying and describing key characteristics of the area, such as geography, natural resources, population, demographics, the local economy and labor force, political and community institutions, housing, transportation, education resources, and cultural and recreational resources. An assessment of community strengths and weaknesses is prepared. This step also typically includes the development of a statement of community values that articulates core beliefs shared by community members.

**Driving question:** "Where are we now?"

**Activities:** Research and data collection, compilation and analysis. If a values statement is developed, additional activities such as a community survey, community meetings, etc., may be required.

**Products:** Community profile, strength and weaknesses assessment, values statement.

**Step Two: Analyzing the Trends.** The second step is to determine where the community is headed if current trends and activities continue. It involves analysing research to determine current and projected trends, and their potential impact on the community. A "probable scenario," describing what the community will look like at some point in the future if it stays on its current course, may be developed.

**Driving question:** "Where are we going?"

**Activities:** Determination of current and projected trends, assessment of their future impact. Creation of a probable scenario (or alternative possible scenarios) through a task force, work groups, community meetings and brainstorming sessions, or other means.

**Products:** Trend Statement, probable scenario, additional possible scenarios.

**Step Three: Creating the Vision.** The next step involves the actual creation of a vision for the future, describing what the community seeks to become. Based on identified community values, a "preferred scenario" is developed to describe what the community will look like if it responds to emerging trends and issues in a proactive manner. Ultimately, the community's formal vision statement is based on this scenario.

While developing the vision statement involves imagination and creativity, the process is also firmly grounded in reality. By basing the preferred scenario on concrete facts and trends identified through the visioning process, citizens create a vision that is both realistic and achievable.

**Driving question:** "Where do we want to be?"

**Activities:** Creation of a preferred scenario and final vision statement through task forces, work groups, community meetings, brainstorming session, or other means.

**Products:** Preferred scenario, vision statement.

**Step Four: Developing an Action Plan.** Once the vision has been created, a strategic action plan to achieve it can be developed. The action plan should be as specific as possible, including actions to be taken, assignment of responsibilities, timelines, costs, opportunities and constraints, and more.

**Driving question:** "How do we get there?"

**Activities:** Identification of goals, strategies, action, implementation agendas and priorities through a task force, work groups, or stakeholder meetings.

The action plan may also be linked to the development of a community benchmarking system to measure progress in achieving community goals.

**Product:** *Action plan(s).* "

Community Visioning is a relatively new concept within Australia, although recent reports indicate that it is having positive impacts on the Esperance community and a modified form of visioning was used by the City of Fremantle in the review of its Town Planning Scheme. Details on the scope and cost of carrying out a visioning process was sought in this regard however, firm quotes in response to specific guidelines for services required will be essential to ensure a suitable programme and an associated facilitator to perform the process can be selected.

The Town has made preliminary investigations in this regard to 'Community Perspectives', a consultancy firm dealing in community consultation. In a letter to the Town dated 22 May 2003, indicative costs relating to Community Consultation carried out as part of the Town Planning Scheme Review and a comprehensive Community Visioning Process have been outlined, excerpts of which are as follows. The letter is attached as Appendix 10.1.17(b) to this report.

*"TPS Review - Community Consultation*                      \$12,650

*.....Having considered how and if the TPS Review can encompass a visioning process I believe it can and that this would best be done in a way that would complement and feed into any future Community Visioning process initiated by the Town of Vincent. We would therefore suggest a community consultation strategy that involves the following key tasks....*

<i>Project Scoping and Initiating</i> ....	\$880
....	
<i>TPS Review Briefing Workshop - Precinct Groups</i>	\$1,760
...	
<i>Precinct Workshops</i>	\$7,920
....	
<i>Draft TPS/LPS Public Display and Workshop</i>	\$2,090
..	
<i>Community Visioning Process</i>	\$35,500

*Typically Community Vision projects vary considerably in cost depending on the level of work undertaken in each stage. The level of support received from other sources such as local business can also influence the cost. While a simplified visioning process can be conducted in six months or less this would involve much less public consultation and would be less comprehensive and less consensus-orientated. By contrast a comprehensive community visioning process may take six months to a year +, but is more participatory, built on consensus, action orientated and results in a more engaged community and committed business and government sector. ....*

<i>Project Scoping and Initiation</i>	\$2,500
....	
<i>Communications and Promotion</i>	\$4,000
....	
<i>Profiling the Community</i>	\$7,500
....	
<i>Analysing the Trends</i>	\$6,000
....	
<i>Creating the Vision</i>	\$6,500
....	
<i>Developing and Action Plan</i>	\$7,000

*Project Management* \$2,000

...

*Designing a Community Vision Process* \$6,000

*This option would involve designing a tailored community visioning process for the Town of Vincent. This process would be designed in consultation with elected members, staff and community representatives. A briefing paper would also be prepared covering the rationale and benefits of the process. ...."*

**Conclusion**

In view of the above, it is considered timely that the Council resolves to prepare a new Town Planning Scheme in conjunction with a process of community visioning. It is therefore recommended that the Council receives and endorses the Scheme Examination Report; forwards the Scheme Examination Report to the Western Australian Planning Commission (WAPC) and the Minister of Planning and Infrastructure; and requests the approval of the WAPC and Minister for the preparation of a new town planning scheme alongside a community visioning process.

### 10.2.2 International Public Works Conference

Ward:	NA	Date:	17 June 2003
Precinct:	NA	File Ref:	ADM0031
Reporting Officer(s):	R Lotznicher		
Checked/Endorsed by:	-		
Amended by:	-		

**OFFICER RECOMMENDATION:**

*That the Executive Manager Technical Services and up to one (1) Elected Member be authorised to attend the International Public Works Conference, to be held in Tasmania from Sunday 24 August to Thursday 28 August 2003, at an approximate cost of \$3,394 each.*

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**COUNCIL DECISION ITEM 10.2.2**

**Moved Cr Farrell, Seconded Cr Chester**

*That the recommendation be adopted.*

*Debate ensued.*

**Moved Cr Franchina**

*That Cr Ker be nominated to attend the International Public Works Conference.*

**There was no Seconder and therefore the Motion lapsed.**

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

---

**BACKGROUND:**

The 2003 International Public Works Biennial Conference will be held in Hobart, Tasmania, between 24 and 28 August 2003 (see details laid on the table).

In 1999, the Executive Manager Technical Services and Cr Chester attended the Biennial National Public Works Conference in Sydney, New South Wales.

In 2001 the National Conference was held in Western Australia and was attended by Technical Services staff.

**DETAILS:**

The biennial National Public Works Engineering Conference is the premier event in the Institute of Public Works Engineering Australia (IPWEA) calendar and provides a focus for the Institute in addressing current and emerging issues in our industry.

The "Back to Engineering" theme of this Conference is designed to promote the importance of public works engineering to society and will highlight the latest technological and leadership advances that public works engineering can deliver to the community.

The Conference Organising Committee has put together an exciting technical program that focuses on contemporary issues in public works engineering designed to inform and also to challenge our thinking, including:

- Managing Non-Feasance
- Practical Fleet Management
- Waste Recycling
- Service Delivery
- Integrated Transport Planning
- Innovations in Stormwater
- Water Sensitive Urban Design
- Engineers, Community and Management
- Asset Management
- Risk Management
- Best Practice in Environmental
- Traffic and Road Safety

Over eighty (80) papers, including three (3) international papers, will be presented, including various technical tours and workshops.

**CONSULTATION/ADVERTISING:**

Nil.

**STRATEGIC IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Cost per person;	
Conference registration/Technical Tours	\$ 1,066
Airfare/Taxi transfers	\$ 1,123
Accommodation and meals	\$ 1,205
<b>Total:</b>	<b>\$ 3,394</b>

**LEGAL/POLICY IMPLICATIONS:**

The Town's Policy No 4.1.13 - "Conferences - Attendances Representation and Related Issues" - states that:

"The following guidelines are to be considered for any proposal for representatives of the Council to attend conferences:-

- 1) when it is considered desirable that the Council be represented at an international and/or interstate conference, study tour, seminar or convention, up to a maximum of one Elected Member and one officer may attend;
- 2) following attendance at such conferences and the like, the Elected Member and officer shall submit a report within thirty days of their return to Perth the events proceedings for the Council's information and records;

- 3) a list be maintained on the Council's records of Elected Members and officers attendance at conferences and the like;
- 4) the representatives be determined by the Council and a list of previous attendance's be submitted on each occasion to assist with that decision;
- 5) all Conference Papers and/or Proceedings should become the property of the Town and placed in the Town Library so that they are accessible by the public;
- 6) the attendees produce a report on the Seminar, Conference or Study Tour, also be placed in the Town Library so that it is accessible by the public; and
- 7) attendees' reports are presented to Council Meetings so that during question time members of the public has an opportunity to raise questions."

**Contract Requirement**

The Executive Managers Contract of Employment entitles the Officer to attend one interstate professional development conference each year.

**COMMENTS:**

It is recommended that approval be granted for the Executive Manager Technical Services and up to one (1) Elected Member to attend the Conference.

**10.2.5 Street Verge Tree Survey - Venn Street, North Perth**

<b>Ward:</b>	North	<b>Date:</b>	9 June 2003
<b>Precinct:</b>	Norfolk P10	<b>File Ref:</b>	TES0234
<b>Reporting Officer(s):</b>	K Godfrey		
<b>Checked/Endorsed by:</b>	J van den Bok/R Lotznicher		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

- (i) *the Council receives the report on the Street Verge Tree Survey undertaken in Venn Street, North Perth;*
- (ii) *APPROVES the retention of all existing street verge trees in Venn Street for the reasons outlined in the report; and*
- (iii) *advises residents in Venn Street of Council's resolution.*

**Moved Cr Lake, Seconded Cr Cohen**

*That the recommendation be adopted.*

*Debate ensued.*

**Moved Cr Chester, Seconded Cr Torre**

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

*"(iv) the Council hold a public meeting with Venn Street residents, to discuss the matter of the Street Verge Trees and Survey."*

**AMENDMENT CARRIED (7-1)**

**For**  
Mayor Catania  
Cr Chester  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Lake  
Cr Torre

**Against**  
Cr Cohen

(Cr Ker on approved leave of absence.)

**MOTION AS AMENDED CARRIED (7-1)**

**For**  
Cr Chester  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Lake  
Cr Torre

**Against**  
Mayor Catania

(Cr Ker on approved leave of absence.)



**COUNCIL DECISION ITEM 10.2.5**

*That;*

- (i) *the Council receives the report on the Street Verge Tree Survey undertaken in Venn Street, North Perth;*
  - (ii) *APPROVES the retention of all existing street verge trees in Venn Street for the reasons outlined in the report;*
  - (iii) *advises residents in Venn Street of Council's resolution; and*
  - (iv) *the Council hold a public meeting with Venn Street residents, to discuss the matter of the Street Verge Trees and Survey.*
- 

**BACKGROUND:**

An Elected Members Request (EMR) was received from Cr Chester on 26 February 2003, advising that he had received requests for the replacement of the "Queensland Box" verge trees in Venn Street with a more suitable species.

Parks Services Officers had also previously received calls and queries from residents of Venn Street requesting that a more suitable street verge tree species be planted.

**DETAILS**

There are fifty-five (55) Queensland Box trees located along Venn Street with only five (5) properties without a verge street tree planted.

This is a high percentage of one tree species to remain intact within a streetscape in the Town.

All the trees are in excellent condition, including trees that have been subject to annual pruning.

Following the Elected Members request on 4 April 2003, fifty eight (58) letters with reply paid envelopes were distributed to all Owner/Occupiers in Venn Street. The residents were asked whether they agreed with the proposal to remove/replace the existing "Queensland Box" species.

At the conclusion of the consultation period, a total of twenty-one (22) responses had been received, with sixteen (16) in favour of removal, and six (6) against the proposed removal of the trees.

The results are as follows:-

<b>Agree with Removal/Replacement of Existing with "Queensland Box"</b>	<b>Disagree with Removal/Replacement of Existing with "Queensland Box"</b>
16 responses	6 responses
Nuts are hazardous to pedestrians	Venn street is renowned for its tree lined street.
Tree's are very messy	It would be tragic to lose such beautiful trees
Leaves take a long time to break down	Very much attached to the shade the trees have provided for the past 33 years.
Continual cleaning up required.	We recently purchased our house in this street because of the tree lined street
Large branches periodically fall.	They give the street character and have been around for years.
Children are not able to play outside without shoes due to the tree nuts.	Removal will devalue the street
Large leaves are a constantly falling into my front yard	
They make a huge mess on the footpath	

### **Officers Comments**

The Council previously resolved to discontinue the former Street Tree Enhancement Program whereby similar mature street verge trees were removed in stages and replaced with a more suitable species.

The program generated many negative comments with regard to the Town removing mature established, bird attracting tree species and replanting with immature young trees that will take years to attain the same height and form as the trees removed.

The Queensland Box trees established within Venn Street are a rare example in that there are only five (5) verges without a tree. This is a fine example of a streetscape with well established, mature trees present and also provides a significant landscape amenity feature. (Refer to attached photographs).

In addition, these trees are in excellent health with no visible signs of insect or pathogen damage evident, even in the trees that are regularly pruned, and unlike some other species in other streets, do not have an invasive root system.

### **CONSULTATION/ADVERTISING:**

Residents will be advised of the Council's resolution.

### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintenance and Enhance the Town's Infrastructure to Provide a Safe, Healthy, Sustainable and Functional Environment. *“(b) Develop and implement streetscape enhancements and wider street initiatives.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

It is estimated that a staged removal program (removal of every second tree) and replacement tree planting would cost in the vicinity of \$20,000.

Should the proposal proceed, these funds could be sourced from the Street Verge Tree Management and Enhancement Program budget for 2003/2004.

**LEGAL/POLICY IMPLICATIONS:**

Nil.

**COMMENTS:**

The Box tree species is well adapted to Perth's climate and has been widely planted by numerous Local Governments within the metropolitan area as a street verge tree over many years. While some of the Queensland Box trees in the Town have displayed signs of stress most likely due to the extreme heat and a drop in the subsurface water table, the trees in Venn Street have not been detrimentally affected. While the majority of respondents are in favour of the staged removal of the trees it is however considered that the trees should be retained for the following reasons:-

- Significant streetscape amenity still intact
- Relevance of complaints or issues raised
- Past negative response to tree removal
- The excellent health and condition of all the trees within the street

It is therefore recommended that the Council approve the retention of all the street verge trees located in Venn Street, Mt Lawley, for the reasons outlined in the report and the respondents be advised of the Council's decision.



**10.2.6 Tender for Specialised Turf Maintenance, Herbicide Applications and Turfing Services - Tender No. 267/03**

<b>Ward:</b>	Both	<b>Date:</b>	9 June 2003
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0276
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher/M Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council accepts the tender submitted by Turfmaster Facility Management for Specialised Turf Maintenance, Herbicide Applications and Turfing Services in accordance with the specification as detailed in Tender No. 267/03.*

---

**COUNCIL DECISION ITEM 10.2.6**

**Moved Cr Lake, Seconded Cr Torre**

*That the recommendation be adopted.*

*Debate ensued.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

---

**BACKGROUND:**

Tenders for Specialised Turf Maintenance, Herbicide Applications and Turfing Services for a three (3) year period closed at 2.00pm on the 27 May 2003 and three (3) tenders were received.

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

The objective of this tender is to ensure that a professional turf renovation, fertilising and weed control program is implemented annually to maintain quality assets with known costs.

In addition to the above, included in this tender, was provision for supply and laying of turf which will be relevant with the pending major park redevelopments.

With the nature and timing of these services, particularly in respect of turfed areas being required in relation to each other, the tender indicated that one (1) contractor who can provide all services was preferable, however, tenders could be submitted for individual portions of the work.

**DETAILS:**

Details for all submissions received areas follows: -

**Thatch Removal by Verti-Mowing**

Renovation Task	<i>Turfmaster Faculty Management</i> Rate / Hectare \$	<i>Environmental Industries</i> Rate / Hectare \$	<i>Ausmic Environmental Industries</i> Rate / Hectare \$
<b>Verti-Mowing</b>			
Verti-mow	220.00	240.00	-
Sweep	220.00	240.00	-
<b>TOTAL</b>	440.00	480.00	-

Disposal	Rate per m <sup>3</sup> banked \$ (Compacted)	Rate per m <sup>3</sup> banked \$ (Compacted)	Rate per m <sup>3</sup> banked \$ (Compacted)
<b><i>Disposal of Debris (Option 1)</i></b>			
Debris transported by compactor truck to locations as selected within the Town of Vincent boundary. The Contractor is to load and transport the debris. The Contractor shall bear all costs associated with disposal except tipping fees.	7.40	6.50	-
<b><i>Disposal of Debris (Option 2)</i></b>			
Debris transported by compactor truck and disposed of by the Contractor. All costs of loading, transport and disposal of debris to be borne by the Contractor.	8.80	12.50	-
<b><i>How many hectares can be verti-mowed / swept on one day</i></b>	18 hectares	15.20 depending on site quality	-
<b><i>What quantity of thatch material can be removed in one (1) hour</i></b>	60m <sup>3</sup>	50 to 65m <sup>3</sup>	-
What quantity of thatch material can be removed in one (1) hour.	60m <sup>3</sup> banked	As Above	-

**Fertiliser Rates of Application**

The quantities in this Schedule are the estimated quantities of fertiliser to be applied and are not to be taken as the actual or correct quantities. The Contractor shall be paid for each area fertilised with the Formulations described below and actually executed under the Contract at the rates and prices applicable thereto.

The rates and prices entered shall include fully for all the obligations of the Tenderer under the Contract.

Where there is an error in this Schedule in calculating the amount, the rate shown shall apply and the amount shall be corrected accordingly. Refer to attachment 10.2.6A.

**Supply/Delivery Only - Supply/Delivery/Install Turf**  
Instant Turf

Description	<i>Turfmaster Faculty Management</i> Rate \$ /m <sup>2</sup>	<i>Environmental Industries</i> Rate \$ /m <sup>2</sup>	<i>Ausmic Environmental Industries</i> Rate \$ /m <sup>2</sup>
Supply/install Instant Kikuyu	5.39	6.50	-
Supply/install Instant Wintergreen Couch	5.39	6.50	-

	<i>Turfmaster Faculty Management</i>	<i>Environmental Industries</i>	<i>Ausmic Environmental Industries</i>
Supply/deliver Instant Kikuyu	4.20	4.84	-
Supply/deliver Instant Wintergreen Couch	4.20	4.84	-

*Not Commonly Used*

Supply/install Instant Wintergreen Couch with Premier II Ryegrass Overseed	9.90	7.50	-
Supply/install Instant Wintergreen Couch grown in Washed Cream Profile of 50mm with Premier II Ryegrass Overseed	55.00	9.50	-

Other

Description	Rate \$	Rate \$	Rate \$
Rotary Hoeing /sqm	0.25	0.0265	-
Smudge Board/and Tractor /sqm	0.25	0.02	-
Top-Dressing with Town supplied sand /sqm	0.25	0.025	-
Bobcat /hour	62.00	64.13	-
Truck /hour	62.00	65.00	-

**Supply and Application of Herbicides**

For rates refer to attachment 10.2.6B.

**Selection**

An evaluation panel consisting of the Executive Manager Technical Services, Manager Parks Services and Supervisor Parks Services assessed the tenders using the selection criteria in accordance with the tender documentation as follows: -

<i>Selection Criteria</i>	<i>Raw Score</i>	<i>Weighting</i>
Contract Price	100%	50%
Past Experience in similar projects/works	100%	20%
Organisational structure/capacity/resources	100%	15%
Financial capacity	100%	5%
References	100%	5%
Compliance with Tender Specification	100%	5%

Maximum Raw Score x Weighting = Total Score

Turfing

	<b>Turfmaster Facility Management</b>	<b>Environmental Industries</b>
Contract Price	50	47.4
Past Experience in similar projects/works	18	18
Organisational structure/capacity/resources	15	13.5
Financial capacity	5	5
References	5	5
Compliance with Tender Specification	5	4
<b>Total</b>	<b>98</b>	<b>92.9</b>

Two (2) submissions were received for this component of the tender.

Turfmaster Facility Management have provided the lowest prices in three (3) of the four (4) categories and have provided this service to the Town when quotes have been requested previously, and have scored the highest score in accordance with the selection criteria.

Thatch Removal by Verti-Mowing

Two (2) submissions were received for this component of the tender.

	<b>Turfmaster Facility Management</b>	<b>Environmental Industries</b>
Contract Price	50	45.69
Past Experience in similar projects/works	18	18
Organisational structure/capacity/resources	15	13.5
Financial capacity	5	5
References	5	5
Compliance with Tender Specification	5	4
<b>Total</b>	<b>98</b>	<b>91.19</b>

Turfmaster Facility Management have provided the lowest prices and have the capacity to undertake this work to the required standard. The Company has completed this work for the Town for the past three (3) years.

Fertilising

Two (2) submissions were received for this component of the tender.

	<b>Turfmaster Facility Management</b>	<b>Environmental Industries</b>
Contract Price	50	37.88
Past Experience in similar projects/works	18	18
Organisational structure/capacity/resources	15	13.5
Financial capacity	5	5
References	5	5
Compliance with Tender Specification	5	4
<b>Total</b>	<b>98</b>	<b>83.38</b>

Turfmaster Facility Management have provided the lowest prices and have completed this type of work for the Town for the past three (3) years.

Herbicide Application

Three (3) submissions were received for this component of the tender.

	<b>Ausmic Environmental Industries</b>	<b>Turfmaster Facility Management</b>	<b>Environmental Industries</b>
Contract Price	50	32	30.46
Past Experience in similar projects/works	15	20	18
Organisational structure/capacity/resources	15	15	13.5
Financial capacity	5	5	5
References	2.5	5	5
Compliance with Tender Specification	2	5	4
<b>Total</b>	<b>89.5</b>	<b>82</b>	<b>75.96</b>



Turfmaster Facility Management have undertaken this work for the Town, trading under several different Company names, since the Town's inception. They have provided a high level of service and have an excellent work record with the Town.

To date not one formal complaint has been received in relation to the application of herbicides within the Town's parks and streetscapes. Given the nature of the works, peoples perception of chemical dangers and their use in such public places, this record is testimony to the Company's high regard for safety. Turfmaster Facility Management have provided competitive prices if not the lowest for the application of selective broad acre weed control. Their price for the application of Glyphosate has remained the same as per the current contract.

Ausmic Pest Control prices for the application of Glyphosate over footpaths and along kerblines is comparatively lower than the other two tenderers, however written references have not been provided and telephone reference checks have not been satisfactory.

#### Comments - Pesticides/Herbicides

All chemicals, pesticides and herbicides be used by the Town and its Contractors are registered under the Poisons Act (1964) as amended by the Health Department of Western Australia. Under the Poisons Act, pesticide products are allocated to one of three schedules, depending on the hazard they pose in use. The Schedules are as follows: -

7	Schedule 7 Products	Extremely toxic
6	Schedule 6 Products	Moderately toxic
5	Schedule 5 Products	Slightly toxic
-	Unscheduled Products	Very Slightly toxic

The chemicals intended to be used by the Council and their toxicity rating vary as follows: -

Weed Control	Trade Name	Active Constituents	Poisons Schedule
Onehunga/Broadleaf weeds in turf	Spearhead	Clopyralid Diflufedican MCPA	6
Crab grass in turf	Dimension	Dithiopyr	5
Total Weed Control along footpaths/kerbs/fences	Round Up	Glyphosate	5

The Contractor must comply with all Occupational Safety and Health legislation when using chemicals. All requirements to minimise any risks to the public are detailed in the tender specification.

Spraying is not undertaken during school holidays, and detailed records are kept by the Manager Parks Services in relation to place, time, chemical used, wind speed etc of each detailed in the specification.

#### **CONSULTATION/ADVERTISING:**

Tender No. 267/03 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulation 1996-Part 4 (15).

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of the Draft Plan 2002-2007 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“c) Continue to design and implement infrastructure improvements for public open space.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

Turf renovation, fertilising and herbicide applications costs on reserves are sourced from the respective Parks and Sportsgrounds annual budget.

A specific budget allocation is provided in each annual budget for the costs associated with weed control on footpaths/kerblines.

The supply/laying of turf costs would be sourced from respective park redevelopment budgets if/when required.

**LEGAL/POLICY IMPLICATIONS:**

This tender was advertised and assessed in accordance with the Local Government (Functions and General) Regulations 1996 - Tender Requirements.

**COMMENTS:**

The evaluation process has revealed that Turfmaster Facility Management is the most suitable contractor to undertake all of the works specified and in the majority of items are the lowest in price. The Company has comprehensively addressed all of the selection criteria and represent the best value in satisfying the Town's requirements.

Turfmaster Facility Management have provided competitive prices if not the lowest for the application of selective broad acre weed control. Their price for the application of Glyphosate has remained the same as per the current contract.

Ausmic Environmental have scored the lowest for one (1) of the four (4) tasks ie Herbicide Application, however no written references were provided as requested in the Tender documents.

As indicated in the tender specification, the Town may look favourably at one (1) contractor who can undertake all aspects of this tender. The reason being that all aspects of the tender are inter-related and occur in conjunction with one another.

From a supervisory and administration position, it would be advantageous to deal with only one contractor rather than separate individual tasks. Programming of work is simplified and saves administrative time.

It is therefore recommended that the Council accepts the tender submitted by Turfmaster Facility Management for Specified Turf Maintenance, Herbicide Application and Turfing Services in accordance with the specifications as detailed in Tender No.267/03.

### 10.3.4 Smiths Lake Mural Art Project

<b>Ward:</b>	South	<b>Date:</b>	17 June 2003
<b>Precinct:</b>	Smith's Lake	<b>File Ref:</b>	CMS0085
<b>Reporting Officer(s):</b>	R. Savage		
<b>Checked/Endorsed by:</b>	J. Anthony/ M. Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council;*

- i) APPROVES the three design concepts for the Smiths Lake Mural Art Project; and*
- ii) authorises the Chief Executive Officer to proceed with Community Consultation to determine the final design concept from the approved concepts, in order for the Town to meet its obligations as outlined in the conditions of grants received from Arts WA and CANWA.*

**COUNCIL DECISION ITEM 10.3.4**

**Moved Cr Chester, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**BACKGROUND:**

As approved by Council at the meeting 19 November 2002, the Smiths Lake Mural Art Project is designed to coincide with the beautification of Smiths Lake and the implementation of the Wetlands Heritage Trail. The remuraling of the wall with images relevant to Smiths Lake will be a focal point for people of all ages to view the history and stories of the area through the images of the young artists. The current mural was painted in 1997 and portrays images of no real relevance to Smiths Lake. Some local residents have asked for the current mural to be painted over.

The Smiths Lake Mural Art project is a very unique project that has provided five (5) local young muralists with an opportunity to develop a comprehensive understanding of all facets of working as professional artists.

Letters of support for the project have been received from

- Claise Brook Catchment Group;
- Aranmore Catholic College;
- Passages Resource Centre; and
- Smith's Lake Precinct Group.

**DETAILS:**

The project participants in conjunction with the mentor artist have submitted the following attached concept designs for Council approval.

**Concept one:** Is a slightly abstracted history of the lake, large iconography and strong use of colour is employed to depict times of turmoil and change in the area. Also reference is made to the initial settlement of Perth and the broader development of Western Australia.

The 1854 date was the year meetings were held where it was decided to drain all of the lakes in the Perth surrounding area. Characters that are convicts masked as “monsters” paying for crimes are making changes to the traditional name of the lake and the clothesline shows the new name. The end of the work shows the denigration of the natural habitat of the area.

**Concept two:** Repeats the same historical information of Smiths Lake, this time however it is treated in a more cartoon and stylistic approach. The native and domesticated fauna is a focus of the work demonstrating the relationship between that which existed in the area and that which was later introduced. At one point it was decreed that the lakes and swamp areas were a threat to public health and so lakes were drained leading to an almost extinction of the western swamp turtle. Fifty two (52) stencils of the turtle (although not depicted here due to scale) would be included in the work, this number is significant as it believed that the turtle population was at one point this near to extinction due to loss of its natural habitat.

**Concept three:** This concept works on a slightly tighter brief as it is the only concept that works on a restricted colour palate. Again all the iconography deemed important by the group is included, however it is formatted in curves that radiate from the lake that is symbolically being drained on the far right of the wall. This symbolism is to demonstrate in a less confrontational manner the damage we as a race are capable of committing in our own environment. Again a series of stencils of the western swamp turtle is to be included in the work, in parts this may include narratives drawn from the history of the lake that is text stenciled on the wall. In this concept many of the larger icons have been reduced in size and shall be stenciled on the work to form more of a subtle background pattern. **This is the groups preferred and recommended concept.**

**LEGAL/POLICY:**

Nil

**FINANCIAL/BUDGET IMPLICATIONS:**

The project has been sponsored by Arts WA and Community Arts Network WA and received \$12,000 in funding towards the project implementation.

**STRATEGIC IMPLICATIONS:**

The implementation of the Smiths Lake mural art project is in keeping with the Town’s Strategic Plan 2002 – 2007.

KRA 2.4

*“Review the range of community services provide”.*

KRA 2.5

*“Develop and implement community programs for law, order and safety”.*

**ADVERTISING/CONSULTATION:**

Pending Council approval, the three design concepts will go out for community consultation. This process will involve a letter drop to local residents followed by a community meeting. The community meeting will provide people with an opportunity to talk with the artists and provide them with feedback relating to the designs.

**COMMENT:**

The young artists involved in the Smiths Lake Mural Art Project have developed a comprehensive understanding of the lake and its history, this knowledge is depicted in the three design concepts.

The Smiths Lake Mural Art Project will help to overcome some of the community misunderstanding of urban and mural art through reinforcing the need for community consultation and encouraging young muralists to work in ways that respect community values and feelings.

The final mural will also be a focal point for people of all ages walking the Wetlands Heritage Trail to view the history and stories of the area through the images of the young artists.

**10.4.2 Town of Vincent Advisory Groups**

<b>Ward:</b>	Both	<b>Date:</b>	16 June 2003
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	CVC0017/CMS0067/ PRO0689/TES0334/ ORG0064/ORG0076
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) **RE-APPOINTS** the following current community representatives to the Town's Disability Access and Seniors Advisory Groups for the period 1 July 2003 to 30 June 2005;

(a) **Disability Access Advisory Group** (3 required):

*Elected Members: Cr Ker, Cr Torre*

*(Current Members)*

*(New Nominations)*

*Mrs Carmeline Ansel, Hamersley*

*Nil.*

*Mr Aaron Morse, Mount Hawthorn*

*Mr John Searle, Leederville;*

(b) **Seniors Advisory Group** (no limit):

*Elected Members: Mayor, Cr Cohen, Cr Doran-Wu, Cr Torre*

*(Current Members)*

*(New Nominations)*

*Ms Maria Bunn, Stirling*

*Nil.*

*Ms Anna Chin, Mount Lawley*

*Ms Chris Costa, West Perth*

*Ms Catherine McCloy, Mount Hawthorn*

(ii) **RE-APPOINTS** the current community members to the following Advisory Groups, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005;

(a) **Art Advisory Group** (3 required):

*Nil Vacancy exists.*

*Elected Members: Mayor, Cr Cohen, Cr Farrell*

*(Current Members)*

*(New Nominations)*

*Ms Anna Ciffolilli*

*Mr Ayrton Campbell-Henderson*

*Elizabeth Street*

*Robinson Street*

*North Perth WA 6006*

*Inglewood WA 6052*

*Ms Florence Allain*

*Ms Jan Spriggs*

*Charles Street*

*Norfolk Street*

*West Perth WA 6005*

*North Perth WA 6006*

*Mr Vincent Sammut*

*Franklin Street*

*Leederville WA 6007*

- (b) Heritage Advisory Group (5 required):  
*One (1) Vacancy exists.*

*Elected Members: Cr Chester, Cr Doran-Wu, Cr Lake*

*(Current Members)*

*Mr Noel Robertson  
Palmerston Street  
Perth WA 6000*

*Mr Rocco Sergi, JP  
Monmouth Street  
North Perth WA 6006*

*Mr Vincent Sammut  
Franklin Street  
Leederville WA 6007*

*Ms Amy Thorpe  
Central Avenue  
Maylands WA 6051*

*(New Nominations)*

*Mr Matt Buckels  
Bourke Street  
Leederville WA 6007*

*Ms Helen Griffiths  
Eucla Street  
Mount Hawthorn WA 6016*

*Mr Andrew Main  
Alfonso Street  
North Perth WA 6006*

- (c) Local Area Traffic Management (LATM) Advisory Group  
*(3 required - 2 residents, 1 business):*  
*One (1) Vacancy exists*

*Elected Members: Cr Ker, Cr Farrell, Cr Lake*

*(Current Members)*

*Mr David Cecchele  
Newcastle Street  
Perth WA 6000*

*Mr Kingsley Alexander Sullivan  
Scarborough Beach Road  
Mount Hawthorn WA 6016*

*(New Nominations)*

*Ms Geraldine Box  
Alma Road  
North Perth WA 6006*

*Mr Matt Buckels  
Bourke Street  
Leederville WA 6007*

*Mr Daniel Caddy  
Fairfield Street  
Mount Hawthorn WA 6016*

*Mr Paul Connelly  
Zebina Street  
East Perth WA 6004*

*Mr Dave Tierney  
Federation Street  
Mount Hawthorn WA 6016*

- (d) Safer Vincent Advisory Group (5 required):  
*Nil Vacancy exists.*

*Elected Members: Mayor, Cr Cohen, Cr Farrell*

*(Current Members)*

*Ms Shirley Benton  
Highgate WA 6003*

*Ms Lucia Dedear  
Buxton Street  
Mount Hawthorn WA 6016*

*Ms Helen Pemberton  
Brisbane Street  
Perth WA 6000*

*Ms Margaret Reid-Watson  
Sydney Street  
North Perth WA 6006*

*Ms Amy Thorpe  
Central Avenue  
Maylands WA 6051*

*(New Nominations)*

*Mr Matt Buckels  
Bourke Street  
Leederville WA 6007*

*Mr Paul Connelly (Preferred Group)  
Zebina Street  
East Perth WA 6004*

*Mr Jim Richards  
Moir Street  
Perth WA 6000*

- (iii) **APPROVES;**

- (a) *the creation of a new Advisory Group to be known as the "Sustainability Advisory Group" with the Terms of Reference and Composition as shown in Appendix 10.4.2(b);*
- (b) *the calling of Community Representatives for the proposed Sustainability Advisory Group; and*

- (vi) **REQUESTS** the Safer Vincent Advisory Group to consider the following matters;

- (a) *review of Safer Vincent Program;*
- (b) *preparation of Strategy and Initiatives; and*
- (c) *prostitution.*

---

**Moved** Cr Torre , **Seconded** Cr Lake

*That the recommendation be adopted.*

**Moved** Cr Farrell, **Seconded** Cr Chester

*That the following new clauses (ii)(a)(ii) and (ii)(a)(iii) are inserted:*

*"That the Council;*

*"(ii)(a)(ii) AMENDS the Art Advisory Group's membership composition to include a representative from the West Australian Art Gallery, or similar institute (a University or TAFE) to be a judging panel member for future awards; and*

*(ii)(a)(iii) calls nominations to fill the specified position.*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)



**Moved Cr Chester, Seconded Cr Lake**

*That the Council adopts the following AMENDED RECOMMENDATION;*

*That the Council;*

- (i) *RE-APPOINTS the following current community representatives to the Town's ~~Disability~~ Universal Access and Seniors Advisory Groups for the period 1 July 2003 to 30 June 2005;*

- (a) *Disability Universal Access Advisory Group (3 required):*

*Elected Members: Cr Ker, Cr Torre*

*(Current Members)*

*Mrs Carmeline Ansel, Hamersley  
Mr Aaron Morse, Mount Hawthorn  
Mr John Searle, Leederville;*

*(New Nominations)*

*Nil.*

- (b) *Seniors Advisory Group (no limit):*

*Elected Members: Mayor, Cr Cohen, Cr Doran-Wu, Cr Torre*

*(Current Members)*

*Ms Maria Bunn, Stirling  
Ms Anna Chin, Mount Lawley  
Ms Chris Costa, West Perth  
Ms Catherine McCloy, Mount Hawthorn*

*(New Nominations)*

*Nil.*

- (ii) *RE-APPOINTS the current community members to the following Advisory Groups, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005;*

- (a) *Art Advisory Group (3 required):*

*Nil Vacancy exists.*

*Elected Members: Mayor, Cr Cohen, Cr Farrell*

*(Current Members)*

*Ms Anna Ciffolilli  
Elizabeth Street  
North Perth WA 6006*

*(New Nominations)*

*Mr Ayrton Campbell-Henderson  
Robinson Street  
Inglewood WA 6052*

*Ms Florence Allain  
Charles Street  
West Perth WA 6005*

*Ms Jan Spriggs  
Norfolk Street  
North Perth WA 6006*

*Mr Vincent Sammut  
Franklin Street  
Leederville WA 6007*

**(b) Local Area Traffic Management (LATM) Advisory Group**

**(3 required - 2 residents, 1 business):**

**One (1) Vacancy exists**

**Elected Members: Cr Ker, Cr Farrell, Cr Lake**

**(Current Members)**

**Mr David Cecchele  
Newcastle Street  
Perth WA 6000**

**Mr Kingsley Alexander Sullivan  
Scarborough Beach Road  
Mount Hawthorn WA 6016**

**(New Nominations)**

**Ms Geraldine Box  
Alma Road  
North Perth WA 6006**

**Mr Matt Buckels  
Bourke Street  
Leederville WA 6007**

**Mr Daniel Caddy  
Fairfield Street  
Mount Hawthorn WA 6016**

**Mr Paul Connelly  
Zebina Street  
East Perth WA 6004**

**Mr Dave Tierney  
Federation Street  
Mount Hawthorn WA 6016**

**(iii) AMENDS the current composition of its community members to the following Advisory Groups, by not re-appointing the current members indicated with an asterisk, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005, as shown below;**

**(a) Heritage Advisory Group (5 required):**

**~~One (1)~~ Three (3) Vacancies exists.**

**Elected Members: Cr Chester, Cr Doran-Wu, Cr Lake**

**(Current Members)**

**Mr Noel Robertson  
Palmerston Street  
Perth WA 6000**

**Mr Rocco Sergi, JP  
Monmouth Street  
North Perth WA 6006**

**Mr Vincent Sammut\*  
Franklin Street  
Leederville WA 6007**

**Ms Amy Thorpe\*  
Central Avenue  
Maylands WA 6051**

**(New Nominations)**

**Mr Matt Buckels  
Bourke Street  
Leederville WA 6007**

**Ms Helen Griffiths  
Eucla Street  
Mount Hawthorn WA 6016**

**Mr Andrew Main  
Alfonso Street  
North Perth WA 6006**

- (b) Safer Vincent Advisory Group (5 required):**  
~~Nil~~ **One (1) Vacancy exists.**

***Elected Members: Mayor, Cr Cohen, Cr Farrell***

***(Current Members)***

***Ms Shirley Benton  
Highgate WA 6003***

***Ms Lucia Dedear  
Buxton Street  
Mount Hawthorn WA 6016***

***Ms Helen Pemberton  
Brisbane Street  
Perth WA 6000***

***Ms Margaret Reid-Watson  
Sydney Street  
North Perth WA 6006***

***Ms Amy Thorpe\****  
***Central Avenue***  
***Maylands WA 6051***

***(New Nominations)***

***Mr Matt Buckels  
Bourke Street  
Leederville WA 6007***

***Mr Paul Connelly (Preferred Group)  
Zebina Street  
East Perth WA 6004***

***Mr Jim Richards  
Moir Street  
Perth WA 6000***

- (iv) RENAMES the "Disability Access Advisory Group" to "Universal Access Advisory Group";**

- (v) AMENDS the Terms of Reference for all of its Advisory Groups by adding the following Clause;**

**"A member of the community shall only be permitted to be on one (1) Advisory Group at any one time";**

- (vi) APPROVES;**

**(a) the creation of a new Advisory Group to be known as the "Sustainability Advisory Group" with the Terms of Reference and Composition as shown in Appendix 10.4.2(b);**

**(b) the calling of Community Representatives for the proposed Sustainability Advisory Group; and**

**(c) the "Sustainability Advisory Group" to consider the following matters;**

**(1) formulation of a community and Council vision of sustainability;**

**(2) development of the Town's proposed Sustainability Management System, Sustainability Strategy;**

**(3) preparation of sustainability initiatives and programs;**

**(4) make recommendation to Council in relation to sustainability issues, including, but not limited to:**

- (i) Local Agenda 21;**
- (ii) Cities for Climate Protection;**
- (iii) The Western Australian State Sustainability Strategy;**
- (iv) Town of Vincent Town Planning Scheme No.1 and associated Policies;**
- (v) Transport;**
- (vi) Vegetation;**
- (vii) Waste management;**
- (viii) Recycling; and**
- (ix) Environmental issues;**

**(vii) REQUESTS the Safer Vincent Advisory Group to consider the following matters;**

- (a) review of Safer Vincent Program;**
- (b) preparation of Strategy and Initiatives; and**
- (c) prostitution; and**

**(viii) REQUESTS the Heritage Advisory Group to consider the following matters;**

- (a) the Town's Heritage Survey and Municipal Heritage Inventory Review;**
- (b) preparation of a Heritage Strategic Plan and associated strategies and initiatives; and**
- (c) Heritage Design Awards.**

The Presiding Member ruled that each clause of the AMENDED RECOMMENDATION will be considered and voted upon separately.

**(i) RE-APPOINTS the following current community representatives to the Town's ~~Disability~~ Universal Access and Seniors Advisory Groups for the period 1 July 2003 to 30 June 2005;**

**(a) ~~Disability~~ Universal Access Advisory Group (3 required):**

**Elected Members: Cr Ker, Cr Torre**

**(Current Members)**

**Mrs Carmeline Ansel, Hamersley  
Mr Aaron Morse, Mount Hawthorn  
Mr John Searle, Leederville;**

**(New Nominations)**

**Nil.**

**(b) Seniors Advisory Group (no limit):**

**Elected Members: Mayor, Cr Cohen, Cr Doran-Wu, Cr Torre**

**(Current Members)**

**Ms Maria Bunn, Stirling  
Ms Anna Chin, Mount Lawley  
Ms Chris Costa, West Perth  
Ms Catherine McCloy, Mount Hawthorn**

**(New Nominations)**

**Nil.**

**AMENDMENT CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

(ii) **RE-APPOINTS** the current community members to the following Advisory Groups, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005;

(a) **Art Advisory Group** (3 required):  
Nil Vacancy exists.

*Elected Members: Mayor, Cr Cohen, Cr Farrell*

*(Current Members)*

*Ms Anna Ciffolilli  
Elizabeth Street  
North Perth WA 6006*

*Ms Florence Allain  
Charles Street  
West Perth WA 6005*

*Mr Vincent Sammut  
Franklin Street  
Leederville WA 6007*

*(New Nominations)*

*Mr Ayrton Campbell-Henderson  
Robinson Street  
Inglewood WA 6052*

*Ms Jan Spriggs  
Norfolk Street  
North Perth WA 6006*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

(b) **Local Area Traffic Management (LATM) Advisory Group**  
(3 required - 2 residents, 1 business):  
One (1) Vacancy exists

*Elected Members: Cr Ker, Cr Farrell, Cr Lake*

*(Current Members)*

*Mr David Cecchele  
Newcastle Street  
Perth WA 6000*

*Mr Kingsley Alexander Sullivan  
Scarborough Beach Road  
Mount Hawthorn WA 6016*

*(New Nominations)*

*Ms Geraldine Box  
Alma Road  
North Perth WA 6006*

*Mr Matt Buckels  
Bourke Street  
Leederville WA 6007*

*Mr Daniel Caddy  
Fairfield Street  
Mount Hawthorn WA 6016*

*Mr Paul Connelly  
Zebina Street  
East Perth WA 6004*

*Mr Dave Tierney  
Federation Street  
Mount Hawthorn WA 6016*

**Moved** Cr Lake , **Seconded** Cr Doran-Wu

*That the existing members be reappointed and Mr Daniel Caddy be nominated to fill the one (1) vacancy for the Local Area Traffic Management (LATM) Advisory Group.*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

(iii) AMENDS the current composition of its community members to the following Advisory Groups, by not re-appointing the current members indicated with an asterisk, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005, as shown below;

(a) Heritage Advisory Group (5 required):  
~~One (1) Three (3) Vacancies~~ exists.

*Elected Members: Cr Chester, Cr Doran-Wu, Cr Lake*

*(Current Members)*

*Mr Noel Robertson  
Palmerston Street  
Perth WA 6000*

*Mr Rocco Sergi, JP  
Monmouth Street  
North Perth WA 6006*

*Mr Vincent Sammut\**  
*Franklin Street*  
*Leederville WA 6007*

*Ms Amy Thorpe\**  
*Central Avenue*  
*Maylands WA 6051*

*(New Nominations)*

*Mr Matt Buckels  
Bourke Street  
Leederville WA 6007*

*Ms Helen Griffiths  
Eucla Street  
Mount Hawthorn WA 6016*

*Mr Andrew Main  
Alfonso Street  
North Perth WA 6006*

Moved Cr Doran-Wu, Seconded Cr Torre

*That Mr Vincent Sammut remain as a member of the Heritage Advisory Group*

AMENDMENT CARRIED (5-3)

For  
Mayor Catania  
Cr Cohen  
Cr Doran-Wu  
Cr Franchina  
Cr Torre

Against  
Cr Chester  
Cr Farrell  
Cr Lake

(Cr Ker on approved leave of absence.)

*That Ms Amy Thorpe be removed as a member of the Heritage Advisory Group.*

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

Moved Cr Lake, Seconded Cr Doran-Wu

*That Ms Helen Griffiths and Mr Andrew Main be nominated to fill the two (2) vacancies of the Heritage Advisory Group.*

AMENDMENT CARRIED (5-3)

For  
Cr Chester  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Lake

Against  
Mayor Catania  
Cr Cohen  
Cr Torre

(Cr Ker on approved leave of absence.)

**(b) Safer Vincent Advisory Group (5 required):**  
~~Nil~~ **One (1) Vacancy exists.**

***Elected Members: Mayor, Cr Cohen, Cr Farrell***

***(Current Members)***

***Ms Shirley Benton  
Highgate WA 6003***

***Ms Lucia Dedear  
Buxton Street  
Mount Hawthorn WA 6016***

***Ms Helen Pemberton  
Brisbane Street  
Perth WA 6000***

***Ms Margaret Reid-Watson  
Sydney Street  
North Perth WA 6006***

***Ms Amy Thorpe\**  
***Central Avenue*  
***Maylands WA 6051*******

***(New Nominations)***

***Mr Matt Buckels  
Bourke Street  
Leederville WA 6007***

***Mr Paul Connelly (Preferred Group)  
Zebina Street  
East Perth WA 6004***

***Mr Jim Richards  
Moir Street  
Perth WA 6000***

**Moved Cr Lake, Seconded Cr Doran-Wu**

***That Ms Amy Thorpe be removed as a member of the Safer Vincent Advisory Group.***

**AMENDMENT CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

**Moved Cr Torre, Seconded Cr Doran-Wu**

***That Mr Paul Connelly be nominated to fill the one (1) vacancy of the Safer Vincent Advisory Group.***

**AMENDMENT CARRIED (5-3)**

**For**

**Mayor Catania  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Torre**

**Against**

**Cr Chester  
Cr Cohen  
Cr Lake**

**(Cr Ker on approved leave of absence.)**

- (iv) RENAMES the "Disability Access Advisory Group" to "Universal Access Advisory Group";

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

Moved Cr Torre , Seconded Cr Cohen

*That the words "except the Art Advisory Group" be added at the end of clause (v) as follows:*

- (v) AMENDS the Terms of Reference for all of its Advisory Groups by adding the following Clause;

"A member of the community shall only be permitted to be on one (1) Advisory Group at any one time, except the Art Advisory Group";

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

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

(Cr Ker on approved leave of absence.)

- (vi) APPROVES;

- (a) *the creation of a new Advisory Group to be known as the "Sustainability Advisory Group" with the Terms of Reference and Composition as shown in Appendix 10.4.2(b);*
- (b) *the calling of Community Representatives for the proposed Sustainability Advisory Group; and*
- (c) the "Sustainability Advisory Group" to consider the following matters;
- (1) formulation of a community and Council vision of sustainability;
- (2) development of the Town's proposed Sustainability Management System, Sustainability Strategy;
- (3) preparation of sustainability initiatives and programs;
- (4) make recommendation to Council in relation to sustainability issues, including, but not limited to:
- (i) Local Agenda 21;
- (ii) Cities for Climate Protection;
- (iii) The Western Australian State Sustainability Strategy;



- (iv) *Town of Vincent Town Planning Scheme No.1 and associated Policies;*
- (v) *Transport;*
- (vi) *Vegetation;*
- (vii) *Waste management;*
- (viii) *Recycling; and*
- (ix) *Environmental issues;*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

(vii) *REQUESTS the Safer Vincent Advisory Group to consider the following matters;*

- (a) review of Safer Vincent Program;*
- (b) preparation of Strategy and Initiatives; and*
- (c) prostitution; and*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

(viii) *REQUESTS the Heritage Advisory Group to consider the following matters;*

- (a) the Town's Heritage Survey and Municipal Heritage Inventory Review;*
- (b) preparation of a Heritage Strategic Plan and associated strategies and initiatives; and*
- (c) Heritage Design Awards.*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**Moved Cr Lake, Seconded Cr Chester**

*That a new clause (ix) be added as follows:*

*"(ix) Redrafts the Terms of Reference of the Advisory Groups to reflect the relevant changes."*

**AMENDMENT CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

**COUNCIL DECISION ITEM 10.4.2**

*That the Council;*

- (i) ***RE-APPOINTS the following current community representatives to the Town's Universal Access and Seniors Advisory Groups for the period 1 July 2003 to 30 June 2005;***
- (a) ***Universal Access Advisory Group (3 required):***  
***Elected Members: Cr Ker, Cr Torre***  
***(Current Members)***  
***Mrs Carmeline Ansel, Hamersley***  
***Mr Aaron Morse, Mount Hawthorn***  
***Mr John Searle, Leederville;***
- (b) ***Seniors Advisory Group (no limit):***  
***Elected Members: Mayor, Cr Cohen, Cr Doran-Wu, Cr Torre***  
***(Current Members)***  
***Ms Maria Bunn, Stirling***  
***Ms Anna Chin, Mount Lawley***  
***Ms Chris Costa, West Perth***  
***Ms Catherine McCloy, Mount Hawthorn***
- (ii) ***RE-APPOINTS the current community members to the following Advisory Groups, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005;***
- (a) (i) ***Art Advisory Group (3 required):***  
***Nil Vacancy exists.***  
***Elected Members: Mayor, Cr Cohen, Cr Farrell***  
***(Current Members)***  
***Ms Anna Ciffolilli***  
***Elizabeth Street***  
***North Perth WA 6006***  
  
***Ms Florence Allain***  
***Charles Street***  
***West Perth WA 6005***  
  
***Mr Vincent Sammut***  
***Franklin Street***  
***Leederville WA 6007;***
- (ii) ***AMENDS the Art Advisory Group's membership composition to include a representative from the West Australian Art Gallery, or similar institute (a University or TAFE) to be a judging panel member for future awards; and***
- (iii) ***calls nominations to fill the specified position.***

- (b)** *Local Area Traffic Management (LATM) Advisory Group  
(3 required - 2 residents, 1 business):  
One (1) Vacancy exists*

*Elected Members: Cr Ker, Cr Farrell, Cr Lake*

*(Current Members)*

*Mr David Cecchele  
Newcastle Street  
Perth WA 6000*

*Mr Daniel Caddy  
Fairfield Street  
Mount Hawthorn WA 6016*

*Mr Kingsley Alexander Sullivan  
Scarborough Beach Road  
Mount Hawthorn WA 6016*

- (iii)** *AMENDS the current composition of its community members to the following Advisory Groups, by not re-appointing the current members indicated with an asterisk, and fills any vacant positions from the new nominations received, for the period 1 July 2003 to 30 June 2005, as shown below;*

- (a)** *Heritage Advisory Group (5 required):  
Three (3) Vacancies exists.*

*Elected Members: Cr Chester, Cr Doran-Wu, Cr Lake*

*(Current Members)*

*Mr Noel Robertson  
Palmerston Street  
Perth WA 6000*

*Mr Rocco Sergi, JP  
Monmouth Street  
North Perth WA 6006*

*Mr Vincent Sammut  
Franklin Street  
Leederville WA 6007*

*Ms Helen Griffiths  
Eucla Street  
Mount Hawthorn WA 6016*

*Mr Andrew Main  
Alfonso Street  
North Perth WA 6006*

- (b) Safer Vincent Advisory Group (5 required):  
One (1) Vacancy exists.**

***Elected Members: Mayor, Cr Cohen, Cr Farrell***

***(Current Members)***

***Ms Shirley Benton  
Highgate WA 6003***

***Mr Paul Connelly  
Zebina Street  
East Perth WA 6004***

***Ms Lucia Dedear  
Buxton Street  
Mount Hawthorn WA 6016***

***Ms Helen Pemberton  
Brisbane Street  
Perth WA 6000***

***Ms Margaret Reid-Watson  
Sydney Street  
North Perth WA 6006***

- (iv) RENAMES the "Disability Access Advisory Group" to "Universal Access Advisory Group";**
- (v) AMENDS the Terms of Reference for all of its Advisory Groups by adding the following Clause;**

***A member of the community shall only be permitted to be on one (1) Advisory Group at any one time, except for the Arts Advisory Group;***

- (vi) APPROVES;**
- (a) the creation of a new Advisory Group to be known as the "Sustainability Advisory Group" with the Terms of Reference and Composition as shown in Appendix 10.4.2(b);**
- (b) the calling of Community Representatives for the proposed Sustainability Advisory Group; and**
- (c) the "Sustainability Advisory Group" to consider the following matters;**
- (1) formulation of a community and Council vision of sustainability;**
- (2) development of the Town's proposed Sustainability Management System, Sustainability Strategy;**
- (3) preparation of sustainability initiatives and programs;**
- (4) make recommendation to Council in relation to sustainability issues, including, but not limited to:**

- (i) *Local Agenda 21;*
  - (ii) *Cities for Climate Protection;*
  - (iii) *The Western Australian State Sustainability Strategy;*
  - (iv) *Town of Vincent Town Planning Scheme No.1 and associated Policies;*
  - (v) *Transport;*
  - (vi) *Vegetation;*
  - (vii) *Waste management;*
  - (viii) *Recycling; and*
  - (ix) *Environmental issues;*
- (vii) *REQUESTS the Safer Vincent Advisory Group to consider the following matters;*
- (a) *review of Safer Vincent Program;*
  - (b) *preparation of Strategy and Initiatives; and*
  - (c) *prostitution;*
- (viii) *REQUESTS the Heritage Advisory Group to consider the following matters;*
- (a) *the Town's Heritage Survey and Municipal Heritage Inventory Review;*
  - (b) *preparation of a Heritage Strategic Plan and associated strategies and initiatives; and*
  - (c) *Heritage Design Awards; and*
- (ix) *Redrafts the Terms of Reference of the Advisory Groups to reflect the relevant changes.*
- 

## **BACKGROUND:**

At the Ordinary Meeting of Council held on 13 May 2003, Council resolved that the Advisory Group community representatives' terms be for a period of two (2) years (to coincide with the Election cycle) and for nominations to be called to fill any vacant positions.

Advertisements calling for nominations were placed in the community newspapers on 17 and 20 May 2003 and nominations closed on 3 June 2003. At the close of the advertising period, nominations were received and these are shown in Appendix 10.4.2(a).

### **Safer Vincent Advisory Group**

This Advisory Group met on 1 April 2003. At this meeting, it was suggested that the Group meet bi-monthly. Therefore, in accordance with the Council's previous decision it is appropriate to request the Group to consider the following matters within its terms of reference;

- Review of Safer Vincent Program
- Preparation of various Strategies and Initiatives
- Prostitution

**Proposed New Sustainability Advisory Group**

It is recommended that a new Advisory Group be formed to consider and coordinate the various strategies, initiatives and Town's works which affect the environment. This Advisory Group's Terms of Reference and Composition are shown in Appendix 10.4.2(b).

**LEGAL/POLICY IMPLICATIONS:**

The Local Government Act 1995, Sections 5.8 to 5.25 allows local governments to appoint committees and prescribes the legal requirements for these.

Since its inception, the Town has been operating by having two Council meetings each month (except January) and no committee system. Since late 1995, it has used various Advisory Groups.

The Advisory Groups do not have any legal status and their prime role is to make recommendations for the consideration of the Council. Advisory Groups cannot perform the role of Committees. The Council has not delegated any of its powers.

**FINANCIAL/BUDGET IMPLICATIONS:**

The costs associated with the Advisory Groups is not specifically itemised in the Town's budget, they are absorbed within the administration costs and allocated to the various sections.

**STRATEGIC IMPLICATIONS:**

Nil, however, the use of Advisory Groups is in keeping with the Council's philosophy of involving the community in the decision making process.

**COMMENT:**

The amended Terms of Reference, roles and meeting frequency comply with statutory requirements, provide a more efficient and effective outcome and at the same time, ensure that the community has input into the various Advisory Groups.

**APPENDIX 10.4.2(a)**

**TOWN OF VINCENT ADVISORY GROUPS - COMMUNITY REPRESENTATIVES**

**SUMMARY OF NOMINATIONS RECEIVED**

**ART ADVISORY GROUP:** *(3 members required)*  
(Mayor, Cr Cohen, Cr Farrell)

1.     **Name:**                     Mr Ayrton E. Campbell-Henderson  
       **Address:**                Inglewood  
       **Qualifications:**        Artist/Managing Director - Perth Circulating Art Library,  
  University of London - English Language  
  
       **Membership of Community Groups:**  
  Western Australian Arts, Sport and Recreation Industry  
  Training Council Inc  
  
       **Reasons to be considered as a Community Representative:**  
  Ex-Blue Mountains, NSW and artist since 1968 (London).  
  Semi-retired muralist and has been in WA since 1986.  
  Developed the Perth Circulating Art Library business  
  promoting West Australian artists. In 1991 acted as  
  Consultant to Telecom Annual Exhibitions. Has been a  
  Lecturer at TAFE regarding small business in the arts, etc.  
  Curator at Burswood and judge for staff Art Exhibitions  
  and has catalogued and updated the entire valuation  
  belonging to Burswood Casino. As an artist in NSW  
  supplied his paintings to 46 different galleries. Involved  
  in 34 different exhibitions.
  
2.     **Name:**                     Ms Jan Spriggs  
       **Address:**                North Perth  
       **Qualifications:**        Human Resources Diploma, Business Diploma  
  
       **Membership of Community Groups:**  
  International Zonta Business Women, State President -  
  Recruitment Consulting Services Association (RCSA)  
  
       **Reasons to be considered as a Community Representative:**  
  Resident of the Town of Vincent with a passion for Art  
  and without any preconceived ideas that are constrained  
  by formal education [in the arts] or conflict with her own  
  profession. Is an avid Art Collector and has association  
  with many professional artists through her collections.  
  Very interested in community art as feels it gives a place  
  soul and presence and can take on its own identity that is  
  so often lacking.

**APPENDIX 10.4.2(a)**

**HERITAGE ADVISORY GOUP:** (5 members required)  
(Cr Chester, Cr Doran-Wu, Cr Lake)

1.     **Name:**                     Mr Matt Buckels  
       **Address:**               Leederville  
       **Qualifications:**       Bachelor of Science (Physics), Bachelor of Engineering  
  (Environmental), Post Graduate units in Sustainable Urban  
  Design

**Membership of Community Groups:**  
  Member of Earth Carers (community organisation that  
  conducts community education workshops about benefits  
  of waste reduction, composing and general environmental  
  living). Environmental Officer at City of Subiaco (until  
  recently).

**Reasons to be considered as a Community Representative:**  
  Is a resident of the Town and would like to use his  
  expertise and ideas to help the Town to maintain its  
  position as one of the most desirable places in Perth to  
  live. Believes his experience and expertise in sustainable  
  development can bring a unique and results oriented point  
  of view to an area of local government policy that has the  
  potential to cause considerable tension, distress and  
  confusion in the community. Feels heritage is important  
  in that it makes Vincent a desirable place to live. Heritage  
  adds to property values in an area and attracts community  
  members that have a "Vincent" style about their lifestyles.  
  (*Note: Nominated for Heritage (1st Preference), Safer  
  Vincent (2nd Preference) and Local Area Traffic  
  Management Advisory Groups (3rd Preference).*)
  
2.     **Name:**                     Ms Helen Griffiths  
       **Address:**               Mount Hawthorn  
       **Qualifications:**       Senior Planning Officer, City of Subiaco

**Membership of Community Groups:**  
  Committee Member - Perth Inner City Society (PICS), Art  
  Deco Society

**Reasons to be considered as a Community Representative:**  
  As a Town of Vincent resident for over 8 years has  
  maintained an active interest in the events and  
  developments in the Town. Was a community  
  representative for the formulation of the Town's  
  Residential Design Manual (Planning and Building  
  policies) and is currently a committee member of PICS,  
  which is an active group, especially in relation to the  
  Town of Vincent area and heritage or character buildings'  
  development. Having been employed by the City of  
  Subiaco for over 2 years, has been at the forefront of  
  heritage and development issues in that municipality.  
  Feels her involvement will be invaluable in assisting the  
  Town similarly.



**APPENDIX 10.4.2(a)**

3. **Name:** Mr Andrew Main  
**Address:** North Perth  
**Qualifications:** N/A  
**Membership of Community Groups:**  
President - Perth Inner City Society Inc  
**Reasons to be considered as a Community Representative:**  
Believes he has the skills and desires to assist with the promotion of and education about, the history of the Town.

**LOCAL AREA TRAFFIC MANAGEMENT ADVISORY GROUP:** (*3 members required*) (Cr Ker, Cr Farrell, Cr Lake)

1. **Name:** Ms Geraldine Box  
**Address:** North Perth  
**Qualifications:** BA (Hons), formerly Registered Nurse  
**Membership of Community Groups:**  
Member of Town of Vincent based Gay and Lesbian Singers of WA  
**Reasons to be considered as a Community Representative:**  
Has been a resident of North Perth for the past 18 years and over that period has been a part of the community, witnessing the changing environment and diversity in the area. Since the Town of Vincent was formed, the opportunity for a greater focus on issues with particular meaning to residents and business people within the area has arisen. One of these issues is the management of vehicle flow and pedestrian usage within the area that is now the Town. In 1993/94, represented the area bounded by Charles, Angove, Fitzgerald and Vincent Streets (identified as "Precinct 7") on a Local Area Traffic Management committee. This group commenced work assisting the City of Perth Engineering Department in reviewing traffic flow in the Precinct. The call for the current round of Advisory Group membership offers another opportunity of assisting in providing community input in this area.
2. **Name:** Mr Matt Buckels  
**Address:** Leederville  
**Qualifications:** Bachelor of Science (Physics), Bachelor of Engineering (Environmental), Post Graduate units in Sustainable Urban Design  
**Membership of Community Groups:**  
Member of Earth Carers (community organisation that conducts community education workshops about benefits of waste reduction, composting and general environmental living). Environmental Officer at City of Subiaco (until recently).

**APPENDIX 10.4.2(a)**

**Reasons to be considered as a Community Representative:**

Is a resident of the Town and would like to use his expertise and ideas to help the Town to maintain its position as one of the most desirable places in Perth to live. Believes his experience with Local Agenda 21, Local Transport plans (such as bike plans and pedestrian access plans) and sustainable urban design could assist this Advisory Group address the Local Area Traffic Management issues that concern the Town. As a member of the Group would advocate the use of Travel Demand Management techniques to address excessive car use and would seek to improve public transport in the Town, providing a viable alternative for cross-Vincent travel to the private car.

*(Note: Nominated for Heritage (1st Preference), Safer Vincent (2nd Preference) and Local Area Traffic Management Advisory Groups (3rd Preference).*

3. **Name:** Mr Daniel Caddy  
**Address:** Mount Hawthorn  
**Qualifications:** N/A

**Membership of Community Groups:**

Chairman - Mount Hawthorn Precinct Group Inc

**Reasons to be considered as a Community Representative:**

As a proactive member of the community, traffic management is one area of interest and would be keen to have some input on behalf of himself and members of the local community. As Chairman of the local Precinct Group, fields phone calls regularly from other residents with questions and/or concerns to do with local traffic management issues. As part of the group, feels he would serve to strengthen the link between the residents and the Council.

4. **Name:** Mr Paul Connelly  
**Address:** East Perth  
**Qualifications:** Bachelor of Science (UWA), Grad. Cert. Sett Ag. Proc., Gas Fitting Permits E, G.

**Membership of Community Groups:**

WA Council of Civil Liberties, Amnesty International, World Vision

**Reasons to be considered as a Community Representative:**

As a member of the Advisory Group would like to ensure that Council decisions made in relation to local area traffic management take due regard of small businesses and home owners and residents. Additionally, would like Council to undertake specific improvements in local area traffic management and as a member of this Group would work towards achieving these improvements.

**APPENDIX 10.4.2(a)**

*(Note: Also nominated for Safer Vincent Advisory Group - has slightly stronger preference for that Group - only wants to be nominated for one Group.)*

5.     **Name:**                     Mr Dave Tierney  
       **Address:**                Mount Hawthorn  
       **Qualifications:**        Cert. in Transport Management, A/Service Performance Manager, Transperth - Department for Planning and Infrastructure  
  
       **Membership of Community Groups:**  
                                      N/A  
  
       **Reasons to be considered as a Community Representative:**  
                                      Would like to give the community the benefit of utilising his 40 years plus transport experience. Having worked as a Transport Planner for Transperth is aware of the impact traffic can have on the amenity of a local area and would be pleased to share this knowledge with the Group.

**SAFER VINCENT ADVISORY GROUP:** *(5 members required)*  
(Mayor, Cr Cohen, Cr Doran-Wu)

1.     **Name:**                     Mr Matt Buckels  
       **Address:**                Leederville  
       **Qualifications:**        Bachelor of Science (Physics), Bachelor of Engineering (Environmental), Post Graduate units in Sustainable Urban Design  
  
       **Membership of Community Groups:**  
                                      Member of Earth Carers (community organisation that conducts community education workshops about benefits of waste reduction, composting and general environmental living). Environmental Officer at City of Subiaco (until recently).  
  
       **Reasons to be considered as a Community Representative:**  
                                      Through employment history as an Environmental Consultant and as a Local Government Environmental Officer, is highly aware of the role that urban design plays in creating safe communities. Feels he could bring to this Advisory Group a way of thinking that would explore opportunities to increase safety and security through community activities designed to foster neighbourhood networks. Facilities such as HQ should be encouraged as they provide young people with outlets for energy and creativity that may otherwise be turned to less-positive uses. Would advocate that the Town acts in a manner that reflects modern best practice, rather than sensationalism and heavy handed approaches.  
  
       *(Note: Nominated for Heritage (1st Preference), Safer Vincent (2nd Preference) and Local Area Traffic Management Advisory Groups (3rd Preference).)*

**APPENDIX 10.4.2(a)**

2.       **Name:**                   Mr Paul Connelly  
          **Address:**               East Perth  
          **Qualifications:**      Bachelor of Science (UWA), Grad. Cert. Sett Ag. Proc.,  
  Gas Fitting Permits E, G.
- Membership of Community Groups:**  
  WA Council of Civil Liberties, Amnesty International,  
  World Vision
- Reasons to be considered as a Community Representative:**  
  Contested the Town of Vincent 2003 South Ward  
  Elections on a platform of safety and security policies  
  aimed at improving street and laneway lighting and  
  council monitoring of police and other emergency  
  response times in the Town. Additionally, would like to  
  see any initiatives undertaken by the Council in the area of  
  local safety and security balanced with due consideration  
  for individual freedoms, liberties and privacy. As a  
  member of the Advisory Group, would like to work  
  towards these objectives.  
  *(Note: Has slightly stronger preference for this Group -  
  also nominated for Local Area Traffic Management  
  Advisory Group. Only wants to be nominated for one  
  Group.)*
3.       **Name:**                   Mr Jim Richards  
          **Address:**               Perth  
          **Qualifications:**      BSc (Hons)  
          **Membership of Community Groups:**  
  Executive Committee - Hyde Park Precinct Group,  
  Modernians Hockey Club
- Reasons to be considered as a Community Representative:**  
  Would like to serve the community as their representative  
  on this Group because believes his contribution can  
  encourage people to take up the Safer Vincent message.  
  This includes communicating Safer Vincent issues from  
  the Group to the community via email bulletins and  
  regular reports at Precinct Group general and executive  
  meetings. Over the last three years, together with local  
  residents, has set up two Precinct Groups in the Town  
  (Norfolk and Forrest), and assisted with the formation of  
  one other (North Perth). Would like to build upon this  
  start and to encourage these Groups to further embrace the  
  Safer Vincent message.  
  *(Note: Letter from Hyde Park Precinct Group also  
  received supporting this nomination.)*

**APPENDIX 10.4.2(b)**



**TOWN OF VINCENT**

**SUSTAINABILITY WORKING GROUP**

---

**1. MEMBERSHIP**

The membership of the Town of Vincent Sustainability Working Group shall comprise up to thirteen persons being:

**1.1 Four Elected Members**

Mayor (Chair)  
Three Councillors

**1.2 Up to Five Community Representatives**

Having specialist knowledge and interest in the sustainability of the Town of Vincent.

**1.3 Council Staff**

- Executive Manager Environmental and Development Services
- Executive Manager Technical Services
- Manager Planning and Building Services
- Senior Planning Officer (Strategic)
- Council Officers as required

**2. TERM OF OFFICE**

Sustainability Working Group membership shall be for a period of two (2) years from the period of the ratification of the advisory group by the Council. (Generally for the term from 1 July each year to 30 June of the following year).

**3. VACANCIES**

Vacancies shall be filled by calling for nominations of either the Council or community representatives. Members filling a vacated position will hold that position for the two (2) years duration of the convened Advisory Group as ratified by the Council.

**4. MEETING PROCEDURES**

- 4.1** Unless approved by the Council or there is a need to address an urgent issue (the latter to be agreed by the Chair and the Chief Executive Officer), the Advisory Group to meet as required.
- 4.2** A quorum will be by simple majority plus one.
- 4.3** A record will be made of the Minutes of the Meeting and distributed to members not less than one week prior to the next scheduled meeting date.
- 4.4** The Working Group shall only deal with matters which have been referred to them by the Council; however they may propose matters for the consideration of the Council.

- 4.5 Any items which have been dealt with by the Working Group will not be implemented by the Town's Administration until a report has been submitted to the Council for a decision.
- 4.6 The Town's staff will not action Working Group requests unless in accordance with 4.4 and 4.5 above.
- 4.7 The Town's Code of Conduct shall apply to members of the Working Group.
- 4.8 All Working Group members shall be required to declare any conflicts of interest in matters being considered by the Group.

## 5. OBJECTIVES

- 5.1 Act in an advisory capacity in sustainability matters pertaining to environmental (natural and built), social and economic issues as requested by the Council.

## 6. FUNCTIONS

- 6.1 Provide comments and recommendation to the Council in the formulation of a community and Council vision of sustainability.
- 6.2 Provide comments and recommendation to the Council in relation to the development of the Town's proposed Sustainability Management System, Sustainability Strategy, and on-the-ground projects to deliver financial and environmental returns to the Council.
- 6.3 Provide comments and recommendations to the Council in relation to other sustainability initiatives and programs.
- 6.4 Provide comments and recommendations to the Council in relation to sustainability issues, including, but not limited to:
  - (i) Local Agenda 21;
  - (ii) Cities for Climate Protection;
  - (iii) The Western Australian State Sustainability Strategy;
  - (iv) Town of Vincent Town Planning Scheme No.1 and associated Policies;
  - (v) Transport;
  - (vi) Vegetation;
  - (vii) Waste management;
  - (viii) Recycling; and
  - (ix) Environmental issues.
- 6.5 Provide comments and recommendations to the Council in relation to education and awareness initiatives and programs, to inform, educate and raise awareness in the community regarding sustainability and its initiatives and programs.
- 6.6 Support the community to fully participate in achieving sustainability, through the development of partnerships, initiatives and programs with the community.
- 6.7 Identify resourcing sources to support sustainability initiatives and programs.
- 6.8 Identify potential links with intrastate, interstate and international local governments to provide learning opportunities for the Town and the community.

**Commencement Date:** *To be advised*

At 10.10pm Moved Cr Lake, Seconded Cr Chester

*That the Meeting continue.*

**CARRIED (7-1)**

For  
Mayor Catania  
Cr Chester  
Cr Cohen  
Cr Doran-Wu  
Cr Farrell  
Cr Franchina  
Cr Lake

Against  
Cr Torre

(Cr Ker on approved leave of absence.)

<b>11.1 Notice of Motion – Councillor Caroline Cohen - Request for Consultation - East Perth Power Station</b>
--

*That the Council;*

- (i) *requests that the Town of Vincent be consulted over the future development of the East Perth Power Station and the vacant land on Summers Street;*
- (ii) *requests the East Perth Redevelopment Authority (EPRA) to consult with the Banks Precinct Group as part of their consultation process; and*
- (iii) *requests a formal briefing by EPRA about the East Perth Power Station and land to the Council as soon as possible.*

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**COUNCIL DECISION ITEM 11.1**

**Moved Cr Cohen, Seconded Cr Lake**

*That the recommendation be adopted.*

*Debate ensued.*

**CARRIED (8-0)**

(Cr Ker on approved leave of absence.)

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**11.2 Notice of Motion – Councillors Helen Doran-Wu and Simon Chester - Proposed Business/Marketing Strategy for Town of Vincent**

*That the Council requests the Chief Executive Officer to;*

- (i) prepare a Marketing and Business Development Strategy for the Town (as identified in the Town's Draft Strategic Plan 2002-2007, Item 3.1 - "Promote business opportunities in the Town");*
- (ii) prepare a report detailing how to best implement the Strategy (including the possible employment of a Marketing Officer, working in conjunction with business associations, promotion of the business/commercial precincts and development of a Business Precinct Marketing Strategy);*
- (iii) liaise with the East Perth Redevelopment Authority, adjoining Local Governments, State Government and other relevant organisations to provide a co-ordinated approach to the proposed Business Strategy; and*
- (iv) approach the East Perth Redevelopment Authority and request a presentation as soon as possible on "Place Management and Promotion".*

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**COUNCIL DECISION ITEM 11.2**

**Moved Cr Doran-Wu, Seconded Cr Chester**

*That the recommendation be adopted.*

*Debate ensued.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**11.3 Notice of Motion – Councillor Simon Chester - Street Trees**

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*That;*

- (i) *the Chief Executive Officer be requested to submit a report on street trees in the Town's Town Centres for Council's consideration no later than August 2003;*
- (ii) *the report include;*
  - (a) *identifying ways of improving the amenity and aesthetic contribution of street trees, including, but not limited to, consideration of more appropriate species and/or a higher level of maintenance,*
  - (b) *examining whether other local authorities have, in similar situations, identified ways of achieving greater amenity and aesthetic contribution from their street trees, and*
  - (c) *identifying an amount of money required to implement the findings of the report.*

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**COUNCIL DECISION ITEM 11.3**

**Moved Cr Chester, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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**12.1 WALGA Nominations – Department of Land Administration (DOLA) Customer Service Council; Heavy Vehicle Advisory Group; Municipal Waste Advisory Council; Museum Policy Development Reference Group; Regional Health Strategy Advisory Group; Swan River Trust; Urban Development Advisory Committee; West Australian Planning Commission (WAPC) Coastal Zone Council; WAPC Environment and Natural Resources Management Committee; WAPC Infrastructure Coordinating Committee; WAPC Statutory Planning Committee; WAPC Transport Committee**

<b>Ward:</b>	-	<b>Date:</b>	12 June 2003
<b>Precinct:</b>	-	<b>File Ref:</b>	ORG0045
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi		
<b>Amended by:</b>	-		

**RECOMMENDATION:**

*That;*

- (i) \_\_\_\_\_ *..be nominated as WALGA Member – Department of Land Administration (DOLA) Customer Service Council;*
- (ii) \_\_\_\_\_ *..be nominated as WALGA Member – Heavy Vehicle Advisory Group;*
- (iii) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Elected Member – Municipal Waste Advisory Council (four (4) Elected Member vacancies);*
- (iv) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Serving Officer Member – Municipal Waste Advisory Council (four (4) Serving Officer Member vacancies);*
- (v) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Member – Museum Policy Development Reference Group (approved by Minister) (Panel of 3 Names);*
- (vi) \_\_\_\_\_ *..be nominated as WALGA Member – Regional Health Strategy Advisory Group;*
- (vii) \_\_\_\_\_ *..be nominated as WALGA Deputy Member – Regional Health Strategy Advisory Group;*
- (viii) \_\_\_\_\_ *..be nominated as WALGA Member – Swan River Trust (approved by Minister) (Panel of 3 Names);*
- (ix) \_\_\_\_\_ *..be nominated as WALGA Member – (Water Corporation) Urban Development Advisory Committee;*
- (x) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Member – West Australian Planning Commission (WAPC) Coastal Zone Council (approved by Minister) (Panel of 3 Names);*

- (xi) ----- *..be nominated as WALGA Metropolitan Member – West Australian Planning Commission (WAPC) Environment and Natural Resources Management Committee (approved by Minister) (Panel of 3 Names);*
- (xii) ----- *..be nominated as WALGA Member – West Australian Planning Commission (WAPC) Infrastructure Coordinating Committee (approved by Minister) (Panel of 3 Names);*
- (xiii) ----- *..be nominated as WALGA Member – West Australian Planning Commission (WAPC) Statutory Planning Committee (approved by Minister) (Panel of 3 Names);*
- (xiv) ----- *..be nominated as WALGA Member – West Australian Planning Commission (WAPC) Transport Committee (approved by Minister) (Panel of 3 Names).*
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### **COUNCIL DECISION ITEM 12.1**

#### **Moved Cr Lake, Seconded Cr Chester**

*That the following nominations be made:*

- (viii) *Councillor Caroline Cohen be nominated as WALGA Member – Swan River Trust (approved by Minister) (Panel of 3 Names); and*
- (xiv) *Councillor Ian Ker be nominated as WALGA Member – West Australian Planning Commission (WAPC) Transport Committee (approved by Minister) (Panel of 3 Names).*

**CARRIED (8-0)**

**(Cr Ker on approved leave of absence.)**

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#### **BACKGROUND:**

Please see Appendix 12.1 for details.

**NOMINATIONS CLOSE COB WEDNESDAY 16 JULY 2003.**

**13. URGENT BUSINESS**

Nil.

**14. CLOSURE**

Presiding Member, Mayor Nick Catania JP, declared the Meeting closed at 10.17pm.

**Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Caroline Cohen	South Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Basil Franchina	North Ward
Cr Sally Lake	South Ward
Cr Maddelena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental & Development Services
Rick Lotznicher	Executive Manager, Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Debbie Winfield	Minutes Secretary
Alia Bath	Journalist - Voice News (in public gallery)

5 Members of the Public

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 24 June 2003.

Signed: .....Presiding Member  
Mayor Nick Catania, JP

Dated this ..... day of ..... 2003