



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

28 AUGUST 2007

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 28 August 2007, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, JP, declared the meeting open at 6.10 pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Torre (due to work commitments)
Mike Rootsey, Director Corporate Services (annual leave)

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (<i>Deputy Mayor</i>)	North Ward (<i>until 9.12 pm</i>)
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Dudley Maier	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Izzi Messina	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Chris Thomson	Journalist - " <i>The Perth Voice</i> " (<i>until approximately 8.45pm</i>)
Lindsay McPhee	Journalist - " <i>Guardian Express</i> " (<i>until approximately 8.45pm</i>)

Approximately 12 Members of the Public

(c) Members on Leave of Absence:

- Nil.

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

1. Ms Sandra Bransby of 38 Chapman Street, Perth, on Item 10.1.5 stated the application replaces the demolition of an early 1900s cottage which is severely dilapidated and is cause for concern for a lot of residents in the street. It was occupied by squatters for some time and involved a lot of visits by the Police. The home has now been locked up by the owners. The proposed development was designed with due consideration of adjoining residents, particularly with reference to boundary walls, privacy and building bulk. During the advertising process, the owner of the adjoining north west property - 40 Chapman Street - submitted a letter of objection. Following a number of discussions with the owner, he finally agreed that the development and particularly the boundary walls were not going to be an issue and has consequently provided a letter of support.

A copy of the letter was submitted to all Councillors as well as to the Planning Department. The owner at No. 34 Chapman Street provided strong support for the development. The Residential Design Codes is a performance based tool that recognises the possibility of more innovative ways of achieving an acceptable outcome. A plot ratio calculation of .75 is proposed and definitely not considered an overdevelopment of the site, particularly in cases where the dwelling would be acceptable if it was an R50. Variations to plot ratio have previously been supported by Council, where the development clearly demonstrates articulation with the adjoining properties, particularly with the proposed site elevations, including segments of small walls which have been staggered with variations of building materials providing interest to the elevations, ultimately reducing the impact of building bulk. It is believed the proposed balcony in the front setback area is a very light weight structure with glass balustrading and a counterlevered floor, which contributes little bulk to the façade. In light of both neighbours providing their full support for the development, the proposed dwellings are by no means considered to have any undue impact of the amenity of their properties and are not considered to contribute to excessive bulk and scale, particularly as the building is compliant with building height and open space. Requested the Council support for the two dwellings as originally submitted.

2. Mr John Meggett of Allering and Associates, Town Planners, of 310 Newcastle Street, Perth – Item 14.2 (No. 6 London Street, North Perth) - handed out photos and plans to Elected Members, showing the location and details of the subject site and adjacent commercial properties. He stated that the development, with very minor exceptions, conforms with the R codes and does not have an adverse impact on the adjoining single residences. He believes this is one of the few remaining sites in the precinct that can accommodate multiple dwellings, bearing in mind that it is a 2,000 square metre site. The development complies with the diversity in housing types that the Town has sought in the Town of Vincent Vision 2024.
3. Ms W Sakalo of 154 Vincent Street, North Perth – Item 10.1.4. Stated that as a resident who will be affected, she objects to the proposed redevelopment because of the height of the building, which will overshadow their property. The wall extends along the whole width of their property and overshadowing will extend over the whole of the back yard living area. She stated that the overshadowing area shown on the submitted plans is incorrect. The erection of a 3.7 metre wall is also unacceptable because of stagnation during summer. She also stated that they will not give permission as required for the building of the wall on their property boundary nor give permission for the current fence to be demolished or for access onto their property for the building of a new wall. They have not been approached concerning this matter. She advised that their property is now heritage listed and the size and bulk of the building will be a monstrosity looming over their home.
4. Mr Joe Algeri of P Pac Town Planners, 1/28 Thomas Avenue, Armadale – Item 10.1.2 - on behalf of the owner of 132 East Parade, East Perth. He stated that his client has numerous concerns about the proposed development at 136 East Parade.

An email was sent to all Elected Members and Directors last week and a reply was received from Mr Rob Boardman, who indicated administration have looked at the advice given via the client's designer. He spoke about the variation in the percentage of overshadowing, stating that all the outdoor area is overshadowed. His client is of the view that the nature and scale of the development is still inappropriate and not at all sympathetic to the neighbouring properties. He advised that she would accept the proposal subject to the ground floor of unit 1 being set back 1.5 metres. She would like an independent verification of the overshadowing.

5. Dr Wasley Sakalo, general surgeon, of 154 Vincent Street, North Perth - Item 10.1.4. Stated he would like Council to vote against the 3 story extension at the back of his property and approve just a 2 story extension His surgical practice is at 687 Beaufort St, Mt Lawley, where the City of Stirling residential development has been limited to 2 stories. Stated that his home is heritage listed and as such assumed the Council would look after the property. If the development goes ahead the property value will decrease considerably. The development will also impact on available parking.
6. Mr Michael Polmia of Anthony J Cassella Designers – Item 10.1.2. He stated that since the report went to Council two weeks ago, they have met with the adjoining neighbour at 132 East Parade to discuss her concerns. Since the meeting, further changes have been made to the design setting the building further back to reduce the overshadowing of her property. Requested Council to approval the proposal based on its merits.
7. Mr Michael Polmia of Anthony J Cassella Designers – Item 10.1.2 spoke on behalf of Ms Vera Brown of 140 East Parade. She is the northern neighbour of 136 East Parade and wrote to Council when the development was advertised, advising of her concerns but has not had the opportunity to engage professionals to investigate further or to speak on her behalf. To do so is too expensive. She feels the development is too big and an intrusion on her privacy regardless of how the windows are treated that face her property. She states that she was never invited to meet with the architect and was ignored. She has been made aware that the latest revisions are very minor and there will be very little benefit to any of the neighbours. The first floor of unit 1 has been moved closer to her property. She totally supports her neighbour at 132 East Parade with her concerns and objections. Council should either refuse the plans or request real changes to be made.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.35pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Steed Farrell applied for approved leave of absence for the Ordinary Meeting of Council to be held on 11 September 2007 for work related purposes.

Moved Cr Doran-Wu, Seconded Cr Ker

That Cr Farrell's request for leave of absence for the Ordinary Meeting of Council to be held on 11 September 2007, for work related purposes, be approved.

CARRIED (8-0)

(Cr Torre was an apology for the meeting)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

- 5.1 Petition from P and E O'Reilly of Chelmsford Road, Mt Lawley, together with 13 signatories of residents situated on Chelmsford Road, requesting the Council to consider options to remove the *No Entry* restriction on that part of Chelmsford Road, or remove the traffic calming barrier, or install traffic lights, or remove the traffic calming barrier and relocate the *No Entry* restriction sign.

The Chief Executive Officer recommended that the petition be received and referred to the Director Technical Services for investigation and report.

Moved Cr Farrell, Seconded Cr Ker

That the Petition be received and referred to the Director Technical Services for investigation and report.

CARRIED (8-0)

(Cr Torre was an apology for the meeting)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 14 August 2007.

Moved Cr Farrell, Seconded Cr Messina

That the Minutes of the Ordinary Meeting of Council held on 14 August 2007 be confirmed as a true and correct record.

CARRIED (8-0)

(Cr Torre was an apology for the meeting)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 **Irena David – Retirement**

On behalf of the Council, I wish to acknowledge the services of Irena David, Library Assistant in the Town's Library, who is retiring after 19 years exceptional service with the Town of Vincent (and former City of Perth). Irena has been a very dedicated and conscientious employee, providing a positive role model for new staff. I wish her a long, happy and healthy retirement.

7.2 Urgent Business

I have approved of a matter to be considered under Urgent Business relating to the appointment of relating to the appointment of Councillor Farrell as a member of the Mindarie Regional Council for its meeting of 29 August 2007 as I am unable to attend.

7.3 Leederville Police Station

I am pleased to advise that I have received unofficial news that the Leederville Police post will be located at the corner of Richmond and Oxford Streets. I am pleased that after much negotiation with the WA Police that there will be a police presence in Leederville. An official letter is expected within the next few days.

7.4 Mayor's Office

I have opened my own office in Fitzgerald Street, North Perth, and reiterate that this is at my own expense and have done this to allow better access for rate payers who find it difficult to contact the Mayor at the Town's Administration and Civic Centre.

Cr Doran-Wu departed the Chamber at 6.40pm.

8. DECLARATIONS OF INTERESTS

- 8.1 Councillor Messina has declared a proximity interest in Item 10.2.4, relating to proposed parking restrictions in Fairfield Street, Mt Hawthorn. The extent of his interest is that he has a franchise located in the nearby "Mezz" Shopping Centre.
- 8.2 Councillor Lake declared an interest affecting impartiality in Item 10.2.3, relating to the Hyde Park Lakes progress report and acceptance of quotation. Her interest in this matter is that she has a professional relationship with one of the tenderers.
- 8.3 CEO John Giorgi declared an interest affecting impartiality in Item 10.3.1, proposed Forrest Park Pavillion – approval of concept plan. The extent of his interest is that his son is an occasional user of the facilities with his soccer club and he also uses the facilities in his capacity as a junior soccer referee.

Cr Doran-Wu returned to the Chamber at 6.41pm.

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

Nil.

10. REPORTS

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

The Agenda Items were categorised as follows:

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

Items 10.1.5, 10.1.4 and 10.1.2

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

Item 10.2.1 and 10.4.2

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

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

Cr Farrell	Items 10.2.3
Cr Chester	10.1.1, 10.1.3, 10.1.8, 10.2.1 and 10.4.2
Cr Doran-Wu	Nil
Cr Ker	10.1.9
Cr Lake	Item 10.2.5
Cr Maier	Nil
Cr Messina	Nil
Mayor Catania	Nil

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

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

Item 10.2.4

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

Items 10.1.6, 10.1.7, 10.2.2, 10.3.2, 10.4.1 and 10.4.3

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

Items 14.1 and 14.2

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

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

Items 10.1.6, 10.1.7, 10.2.2, 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 10.1.5, 10.1.4 and 10.1.2

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

Moved Cr Ker, Seconded Cr Maier

That the following unopposed items be moved en bloc;

Cr Farrell and Cr Chester departed the Chamber at 6.42pm.

Cr Farrell returned to the Chamber at 6.43 pm.

Items 10.1.6, 10.1.7, 10.2.2, 10.3.2, 10.4.1 and 10.4.3

CARRIED (7-0)

(Cr Torre was an apology for the meeting)

(Cr Chester was absent from the Chamber)

Cr Chester returned to the Chamber at 6.44 pm.

Cr Doran-Wu departed the Chamber at 6.45pm.

Cr Doran-Wu returned to the Chamber at 6.46 pm.

10.1.6 Nos. 81-85 (Lot 4 D/P: 32573, Lot 2 D/P: 32573, Strata Lot 2 of Lot 39 STR: 11634) Walcott Street, Corner Raglan Road, Mount Lawley- Alterations and Additions to Balconies of Approved Mixed Use Development

Ward:	South	Date:	20 August 2007
Precinct:	Norfolk, P10; and Mount Lawley Centre, P11	File Ref:	PRO1140; 5.2007.277.1
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by CMP Architects on behalf of the owners A J & D Burns & R V Smith & others for Alterations and Additions to Balconies of Approved Mixed Use Development, at Nos. 81-85 (Lot: 4 D/P: 32573, Lot: 2 D/P: 32573, Strata Lot 2 of Lot 39 STR: 11634) Walcott Street, corner Raglan Road, Mount Lawley and as shown on plans stamp-dated 24 July 2007.

COUNCIL DECISION ITEM 10.1.6

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Torre was an apology for the meeting. Cr Chester was absent from the Chamber.)

Landowner:	A J & D Burns & R V Smith & others
Applicant:	CMP Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Lots 2 and 4 - District Centre (R80); Strata Lot 2 - Residential R60
Existing Land Use:	Mix use development under construction
Use Class:	Multiple Dwelling, Shop, Eating House, Office Building
Use Classification:	District Centre- "AA", "P", "P", "P" Residential - "P", "SA", "SA", "SA"
Lot Area:	2046 square metres
Access to Right of Way	West side, 4.0 metres wide, sealed, Crown-owned

BACKGROUND:

27 April 1999

The Council at its Ordinary Meeting resolved to conditionally approve a planning application for demolition of an existing building and alterations and additions to existing vehicle sales premises.

6 December 2005

The Council at its Ordinary Meeting resolved to conditionally approve a planning application for proposed demolition of existing vehicle sales premises and construction of a three-storey mixed use development comprising twenty one (21) multiple dwellings, four (4) shops, one (1) eating house, two (2) offices and associated carparking, subject to the following conditions;

- "(a) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (b) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (c) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (d) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (e) 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;*
- (f) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Raglan Road and Walcott Street verges adjacent to the subject property, and a minimum of one (1) tree per four (4) uncovered car parking bays, 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);*
- (g) prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (h) doors, windows and adjacent floor areas fronting Walcott Street and Raglan Road shall maintain an active and interactive relationship with these streets;*

- (i) *the maximum gross floor area for the retail and office uses shall be limited to 342 square metres and 164 square metres, respectively and the maximum public floor area for the eating house use shall be limited to 51 square metres, unless adequate car parking is provided for the changes in floor space area;*
- (j) *subject to first obtaining the consent of the owners of No. 87 Walcott Street and No. 2 Raglan Road for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 87 Walcott Street and No. 2 Raglan Road in a good and clean condition;*
- (k) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$4935 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (l) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (m) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying:*
 - (1) *proprietors and/or (prospective) purchasers of the property that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (2) *(prospective) purchasers of the residential units/dwellings that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking*

provided would adequately meet the current and future parking demands of the development.

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

- (n) a construction management plan addressing noise, hours of construction, traffic, footpath and vehicle access, parking of trade person vehicles, use of right of way (ROW), collection of rubbish, loading/unloading processes, dust and any other appropriate matters (such as notifying all affected landowners/occupiers of commencement of construction works), shall be submitted to and approved by the Town prior to the issue of a Building Licence, and thereafter implemented and maintained by the owner(s)/occupier(s);*
- (o) prior to the first occupation of the development, each apartment shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (p) any proposed vehicular entry gates adjacent to the car parking area shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial and residential tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (q) sound attenuation measures being undertaken on the sliding 'secure access gate';*
- (r) the sliding gate to the car park facing Raglan Road shall be visually permeable, with a minimum 50 per cent transparency;*
- (s) on-site parking for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (t) the office/non-residential car parking area shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (u) prior to the first occupation of the development, thirty-one (31) car parking spaces, including three (3) visitor car parking spaces, provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*

- (v) *prior to the first occupation of the development, three (3) class 1 or 2 and four (4) class 3 bicycle parking facilities shall be provided at a location convenient to the entrances of the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities;*
- (w) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (x) *prior to the first occupation of the development, appropriate street furniture, including the provisions of 3 bins and a bench shall be installed adjacent to the development. These works shall be undertaken to the specifications of and supervised by the Town, at the applicant's/owner(s)' full expense;*
- (y) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$25,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$25,000, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (z) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (1) *all terraces being fully open on at least 2 sides. Where screening is required for privacy reasons, permanent obscure glazing at a height of 1.6 metres may be considered as an open side;*
 - (2) *the maximum height of the western fence along Raglan Road being 1.8 metres with the solid portion being a maximum height of 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (3) *the corner component of the development incorporating design elements with a vertical emphasis to define and accentuate the corner and create a landmark feature without increasing the height or plot ratio of the development; and*

- (4) *modulation and articulation to the western half of the Raglan Road elevation to show greater sympathy with the fine grain of the Raglan Road streetscape.*

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

- (aa) *prior to the first occupation of the development and subject to first obtaining the consent of the owners of No. 7 Raglan Road, appropriate plants and/or landscaping shall be planted adjacent to No. 7 Raglan Road to assist in alleviating the impact of headlights into the subject property. These works shall be undertaken in consultation with the Town and at the applicant's/owner(s)' full expense; and..."*

15 August 2006 The Western Australia Planning Commission conditionally approved the amalgamation of the subject lots.

10 April 2007 A Building Licence was issued for the above development by the Town.

DETAILS:

The proposal involves alterations and additions to balconies of approved mixed use development, namely to remove the terrace screening required as per condition (z)(1) of the previous approval, stated below and to replace this screening with a full height masonry wall.

“(z)(1) *all terraces being fully open on at least 2 sides. Where screening is required for privacy reasons, permanent obscure glazing at a height of 1.6 metres may be considered as an open side.*”

The screening which is subject to this planning application is highlighted on the plans. The applicant's submission is “*Laid on the table*”.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.7 applied to Strata Lot 2 (Residential R60) - 304.5 square metres 1.0 applied to Lots 2 and 4 (District Centre, Residential R80) - 1611 square metres. Total plot ratio area - 1915.5 square metres	Total Lot 0.95 - 1914 square metres	Noted - no variation sought.

Consultation Submissions	
The subject planning application was not advertised as the proposed changes are considered to be minor, not considered to have an undue impact on the adjacent neighbours and do not involve any greater variations to the development requirements from the previously approved plans.	
Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil

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

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

COMMENTS:

The subject planning application is considered to be acceptable as the changes are considered minor, not considered to have an undue impact on the adjoining neighbours and do not involve any greater variations to the development requirements from the previously approved plans, including the plot ratio as the floor area of the dwellings have been reduced from the previously approved plans.

Accordingly, the application is recommended for approval.

10.1.7 No. 232 (Lot 303 D/P: 26532) Stirling Street, Perth - Proposed Change of Use from Hairdressing Salon to Non-Medical Consulting Rooms and Ancillary and Associated Shop (Massage and Retail Sales of Balms and Ointments)

Ward:	South	Date:	20 August 2007
Precinct:	Beaufort; P13	File Ref:	PRO3977; 5.2007.177.1
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Asia Fancy Adult International on behalf of the owner Renals Pty Ltd for proposed Change of Use from Hairdressing Salon to Non-Medical Consulting Rooms and Ancillary and Associated Shop (Massage and Retail Sales of Balms and Ointments), at No.232 (Lot 303 D/P: 26532) Stirling Street, Perth and as shown on plans stamp-dated 16 May 2007, for the following reasons:

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the Mixed Residential/Commercial area requirements of the Town's Policy relating to the Beaufort Precinct ;*
- (iii) no proof of current accreditation from a relevant legitimate and reputable association or organisation to demonstrate the proposal's legitimacy as a Non-Medical Consulting Room has been submitted to the Town, as required by the Town's Policy relating to Consulting Rooms; and*
- (iv) consideration of the objections received.*

COUNCIL DECISION ITEM 10.1.7

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Torre was an apology for the meeting. Cr Chester was absent from the Chamber.)

Landowner:	Renals Pty Ltd
Applicant:	Asia Fancy Adult International
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential/ Commercial R80
Existing Land Use:	Hairdressing Salon
Use Class:	Consulting Rooms

Use Classification:	"SA"
Lot Area:	336 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves proposed change of use from hairdressing salon to non-medical consulting rooms and ancillary and associated shop (massage and retail sales of balms and ointments). The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Residential/ Commercial area	To contain a residential component of no less than 66 per cent of the existing or approved floor space.	Nil residential component	Not supported- refer to 'Comments' section.
Non-Medical Consulting Rooms	Proof of current accreditation from a relevant legitimate and reputable association or organisation to be submitted.	Proof has not been submitted.	Not supported- refer to 'Comments' section.
Consultation Submissions			
Support (1)	No comments		Noted.
Objection (35)	<ul style="list-style-type: none"> • Proximity to ASSETS and attending children • Proximity to residential buildings • Development will compromise residents' personal safety and property security • Development will lower property values • Negatively impacts on amenity of area for residents 		<p>Supported- the 'adult' nature of the business as indicated by the applicant is not considered to be appropriate for the subject area.</p> <p>Supported - refer to 'Comments' section.</p> <p>Not supported- as comments are considered speculative.</p> <p>Not supported- not considered to be a major planning consideration.</p> <p>Supported- comment is concurred with by the Town's Planning Officers.</p>

	<ul style="list-style-type: none"> • Detracts from a family-orientated community • Development will attract 'street crawlers' • Negatively impacts on backpackers businesses in the area as accommodation is less appealing • Late hours of operation will lead to increased noise at night, negatively impacting on residents • Development will lead to increased graffiti and littering in area 	<p>Supported- the 'adult' nature of the business as indicated by the applicant is not considered to be appropriate for the subject area.</p> <p>Not supported- as comments are considered speculative.</p> <p>Not supported- as comments are considered speculative.</p> <p>Supported- proposed hours of operation is not considered appropriate in this instance for the subject area.</p> <p>Not supported- as comments are considered speculative.</p>
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil

Car Parking- Commercial Component	
Car parking requirement (nearest whole number) Consulting Room (1 room) – 3 car bays**	3 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of a car park with excess of 75 car parking spaces) 	(0.7225) 2.17 car bays
Minus the car parking provided on-site	3 car bays can feasibly be accommodated
Minus the most recently approved on-site car parking shortfall	2.78 car bays
Resultant surplus	3.61 car bays

Bicycle Parking Facilities	
Consulting Room <ul style="list-style-type: none"> • 1 space per 8 practitioners for employees (class 2) • 1 space per 4 practitioners for visitors (class 3) 	Nil; matter to be conditioned accordingly in the event of an approval.

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

** The proposed shop component is considered to be minor in nature and associated and ancillary to the 'Consulting Room' use and therefore, has not been included in the car parking calculations.

COMMENTS:

The subject proposal is considered to be contrary to the Town's Policy relating to the Beaufort Precinct, which states that this area is to be transformed from a predominantly commercial area into an area of compatible residential and commercial uses and that commercial uses are not to be permitted to develop independently of residential uses. While it is noted in the applicant's submission that there will be employees residing at the subject premises, the subject floor plans do not support a residential use in that there is no provision of a bathroom, kitchen or bedroom.

Further to the above, the applicants have not submitted any proof of current accreditation from a relevant legitimate and reputable association or organisation to demonstrate the proposal's legitimacy, as required by the Town's Policy relating to Consulting Rooms.

In light of the above, the proposal is recommended for refusal.

10.2.2 Conference, Transport - The Next 50 Years, Christchurch, New Zealand, 24 - 27 July 2007

Ward:	-	Date:	20 August 2007
Precinct:	-	File Ref:	ADM0031
Attachments:	-		
Reporting Officer(s):	R Lotznicker, M Torre		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the report on the attendance of the Director Technical Services and Cr Maddalena Torre at the Transport - The Next 50 years Conference held in Christchurch New Zealand, between 24 to 27 July 2007.

COUNCIL DECISION ITEM 10.2.2

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Torre was an apology for the meeting. Cr Chester was absent from the Chamber.)

PURPOSE OF REPORT:

The purpose of this report is to provide information on the attendance of the Director Technical Services (DTS) and Cr Maddalena Torre at the *Transport - The Next 50 years Conference* held in Christchurch New Zealand, between 24 and 27 July 2007.

BACKGROUND:

In 2002, the New Zealand Government launched the New Zealand Transport Strategy, which came into effect in 2003 in the form of the Land Transport Management Act with the vision that *New Zealand will have an affordable, integrated, safe, responsive and sustainable transport system.*

It was acknowledged at the conference that to achieve the objectives of an 'integrated' and 'sustainable' transport system, a long term view that incorporated all modes of transport was required.

Therefore, to complement the forward looking approach, it was decided to hold the international conference which would focus on a longer term horizon for integrated, multi-modal (land, sea, air) and sustainable transport solutions.

The Transport conference was promoted and significantly sponsored by the New Zealand Government with support and sponsorship from the New Zealand transport industry.

Over 600 delegates, mainly from New Zealand, were in attendance with a scattering of delegates from Australia, Asia, USA, UK and Canada also in attendance, from both Central and Local Governments and private industry. There were four (4) delegates from Western Australia in attendance.

The conference featured four (4) keynote presentations by invited guests, 88 papers and panel discussions. The papers presented covered funding, transport planning, land use planning, economic development, alternative energy sources, public transport, freight, the future of rail and air transport, implications of climate change, etc.

DETAILS:

The Conference was officially opened by the Mayor of Christchurch, Gary Moore, who welcomed delegates to Christchurch and encouraged all to visit the city's various facilities and attractions.

Following the official opening, two (2) key note addresses were delivered. The first address was from the Hon. Annette King, Minister of Transport, and the other from Dr Ian Goldin, Director of the James Martin 21st Century School at Oxford University.

The Minister of Transport provided an overview of the challenges facing the Government with regard to transport issues and indicated what measures the government were implementing in the short, medium and longer term to meet these challenges and the funding the government has committed.

Dr Goldin an economist (*from the school that operates as a central hub for 10 research institutes that cover issues such as environmental change, ageing, the future of the mind, infections, bioscience ethics, migration and education*) presented a paper - "Future Trends and Shocks" where he outlined that, apart from nuclear fallout and natural disasters, pandemics, bioterrorism from pathogens and machine intelligence were amongst the major threats facing humanity.

However, he stated he was optimistic that we would overcome these issues. He also stated that he was comfortable about resource availability if the planet's population continued to grow to nine billion people by 2050. However, he indicated that if the population climbed to 12 billion people in the same timeframe, the capacity to feed the world's population would be in question.

Dr Goldin stated that "*predicting the future is not something sensible people should do, smart people get things very wrong over a very short period of time.*"

He concluded that the James Martin 21st Century School at Oxford University is all about finding solutions, finding ways to resolve difficulties as well as harvesting the opportunities that will come from technological and social change.

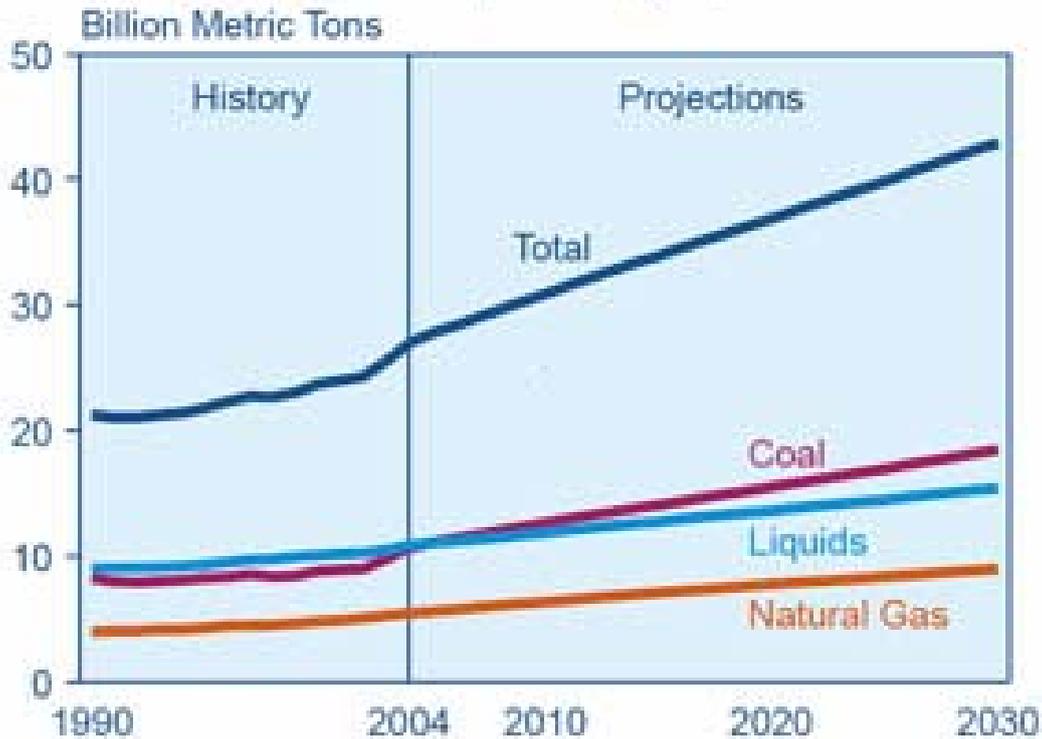
Following the keynote addresses, the conference split into four (4) streams per session namely; 'Future', 'Funding', 'Land Use/Urban Design', 'Energy'. On day two, the 'Funding' stream was replaced with a 'Public Transport' stream and 'Energy' was replaced with a 'Travel Behaviour and Demand Management' stream with the 'Travel Behaviour and Demand Management' stream being replaced with 'Modes' stream on the third day.

The other keynote speakers over the next few days included Paul Little from Toll Holdings (*Next Fifty Years*), Jack Short European Conference of Ministers of Transport (*What can we learn from the last 50 years?*) and Dr Kevin Trenberth - National Centre for Atmospheric Research (*Global Warming is Unequivocal*).

This was a very thought provoking presentation. It outlined that by 2030 global emissions will likely be up by 59% relative to 2004 according to the U.S. Energy Information Administration in its annual International Energy Outlook in May 2007 (refer fig 78 below).

The Kyoto Protocol called for a freeze on emissions to 1990 levels for developed countries. Similarly, the Montreal Protocol called for ozone depletion initially called for a freeze on CFC emissions and only later was this changed to a phase out. The presenter concluded that we cannot stop CO2 emissions but we can slow it down! That is highly desirable as it allows greater time for planning and adaptation. Also, disruption arises more from rapid change than from the climate per se. So we must adapt to climate change: we will adapt, whether unplanned (disruptive untold damage and loss of life), autonomously, or planned.

Figure 78. World Energy-Related Carbon Dioxide Emissions by Fuel Type, 1990-2030



Sources: History: Energy Information Administration (EIA), *International Energy Annual 2004* (May-July 2006), web site www.eia.doe.gov/iea. Projections: EIA, *System for the Analysis of Global Energy Markets* (2007).

A brief summary of some of the presentations attended by the DTS and Cr Torre is outlined below:

Oil, Biofuels, Hydrogen or electricity – How will transport be fuelled over the next 50 years?

Elizabeth Yeaman and Andrew Smith, Energy Efficiency Conservation Authority (EECA) – New Zealand

This paper looked at what is being developed and the advantages and disadvantages of proposed energy sources and the vehicles that could use these sources. Some possible measures to ‘fuel’ transportation discussed in the paper included increased investment in oil exploration to maintain the status quo, biofuels including second generation biofuels, electricity, gas to liquids, coal to liquids and hydrogen from various sources.

The paper also examined the key issue of transitioning from the current 99.9% fossil fuelled transport industry to one which recognizes the international commitments to reduce greenhouse gases and the New Zealand Government's policies for reducing energy consumption and increasing the proportion of renewable energy in the transport sector.

The EECA is a Government entity created to support, encourage and promote the uptake of energy efficiency and renewable energy sources by:

- Helping businesses and consumers to get more from their energy dollar
- Improving lifestyle through warmer, drier homes and better personal transport sources
- Protecting the environment by supporting the use of renewable energy

The presentation outlined:

- History of transport fuels
- Issues to consider
- Transport energy today
- Diversification of feedstock and fuel, how big will it be, what will it be and when?
- Stage of technological development (technologies and fuels) to 2050
- Life Cycle CO₂ emissions – an important consideration when considering the selection of alternative fuels
- Discussion of fuels:
 - Biodiesel – Global feed stocks – rapeseed, soy, palm, tallow
 - Ethanol – Global feed stocks – sugar, cane, corn, whey, grain. *In New Zealand by 2012 3.5% of all fuels sold will have to comprise biofuels*
- Food versus fuel – Second generation fuel stock discussed e.g. Municipal Solid Waste, sewerage, forest waste etc.
- Rain forests vs fuel (Palm oil)
- Flex fuel vehicles – Can use E85 (ethanol 85%) and petrol in the same tank. – 80% of new car market in Brazil within 3 years, 6million currently on road in USA
- Next Stage – Flex fuel/plug in Hybrid vehicles
- Need more than Biofuels:
 - Better public transport and urban design
 - Better walking/cycling infrastructure
 - More efficient vehicles and driving techniques
 - Better consumer information on vehicle efficiency
 - Freight modal shift to rail/shipping
 - Flex fuel/plug in hybrids/electric vehicles

What will our vehicles run on?

David Kilsby – Kilsy Australia, Sydney

This presentation gave an Australian perspective on what the next 50 years hold for energy futures for transport.

The presenter indicated the world was facing a series of transitions as growth in the production of oil will not be able to keep pace with the rising demand for it. He indicated that in 2000, the Munro Centre at the University of NSW and the Transport Panel of the Sydney Division of Engineers Australia held a seminar on “What does the next 100 years hold for transport?”, where he presented a paper entitled ‘Energy Futures for Transport’.

Other papers presented at the seminar dealt with the potential of Intelligent Transport Systems, the way in which community values are interpreted by our political leaders, hybrid fuel technology (such as in the Toyota Prius), a new form of ultra-light rail, and the potential of public transport generally.

Since 2000, the energy issue has become much more prominent with climate change very much on the public agenda.

David Kilsby indicated that Peak Oil is a concept which is fast becoming mainstream. Energy is responsible for at least half the industrial growth in a modern economy and represents less than one tenth of the costs of production. Oil is a unique commodity, the lifeblood of modern life. It is the basis of fertilizer, plastics, pharmaceuticals and other chemicals, but it is as a transport fuel that its use is so essential and where there are no alternative sources currently able to compete economically.

Clearly Peak Oil will be a momentous event in the history of the world, with the potential to change economic, social and environmental habits which have become taken for granted in an age of cheap oil.

Peak Oil

The key point is that, while there is some dispute about when the peak in global oil production will occur there would be few who would assert that in 50 years time oil will not be scarcer and more expensive than today. There will of course still be plenty of oil available – the world is in no imminent danger of running out of oil – but it will no longer be cheap. Hence in 50 years time transport will have had to reduce its oil dependency if transport costs are not to be dominated by the higher price of fuel in future.

Dr Ali Samsan Bakhtiari, a former senior executive with the National Iranian Oil Company, asserted that by 2020 the world will only be able to produce about 55 million barrels per day of conventional oil, compared with 80-85 million today and forecast of about 118 million barrels per day that will be needed by 2030.

According to the Interim Report of a recent Australian Senate Inquiry, the main supply side options to ease the economic disruption of restricted fuel supplies and high prices would be:

- finding more conventional oil supplies within Australia or in Australian territorial waters
- sourcing a proportion of fuel requirements from biofuels such as ethanol or biodiesel
- non-conventional petroleum, producing transport fuels by liquefying coal or natural gas, or producing it from oil shales, and
- fuel shifting, for instance using LPG, natural gas or hydrogen as a transport fuel

What supply-side alternatives are there?

Aside from the debate about more coal-fired power stations versus nuclear ones – neither of which will help transport very much – the leading alternative fuel contenders were taken to be hydrogen, biofuels, natural gas, and use of oil from non-conventional sources. There are other alternatives (eg LPG). .

- Hydrogen: The commercial development of fuel-cell vehicles appears to be decades away. There is a natural limit to the production of hydrogen - when it requires more energy to produce than the energy it provides, is it really worth producing

- **Biofuels:** The main biofuel options are ethanol, made from sugarcane or grain, and biodiesel, mainly made from crops such as canola and palm oil. Many questions remain to be assessed – whether enough land to grow ethanol-producing crops is available. The aviation industry may need ethanol too – it is a possible alternative to refined jet fuel. To use ethanol, aircraft would need to be designed with larger fuel tanks, because it is less energy-dense than jet fuel. Biodiesel lacks a distribution system in Australia.
- **Natural Gas:** Australia is endowed with large quantities of natural gas (principally methane). The technology is sufficiently mature to modify diesel and petrol engines to run on gas, but the lack of any significant refuelling or distribution infrastructure is an obstacle to its further use.
- **Non-Conventional Oil:** The options are more technical possibilities than commercial ones. Substantially more greenhouse gases are produced by the processing than is the case with conventional (liquid) crude oil. Moreover, the price of these options would be impacted by the imposition of a price on carbon dioxide emissions.

Modal Review

“Transport” can take place on land, in the air or by water. The most oil-dependent mode is aviation, especially passenger aviation, for there is no technological alternative in sight to the heavier-than-air aircraft, powered by fossil fuel.

Road transport is also heavily dependent on oil, although not to the same extent as aviation. It is likely that the future will see more road vehicles, although possibly lighter and more fuel-efficient than those that we are used to.

The other main mode for land transport is rail. A railway locomotive is a power plant rolling on rails. Therefore, this mode, because of the greater size of the traction unit, is in theory less vulnerable to oil depletion than road transport. It can adapt to whatever fuel option is most economical at the time. In the past railways have used the energy contained in wood, coal, oil and gas.

The same comment applies, and probably more so, to water transport, where the power plant - attached to the floating payload - tends to be even larger than for railway locomotives.

Conclusions

Peak Oil will increase the price and reduce the availability of oil for transport, with 2010-2012 the most frequently predicted date. When this occurs, the disruption to our first-world way of life will be enormous.

There are no technological developments currently “in the pipeline” to avoid this.

Aviation is the most vulnerable mode, followed by road transport. Rail transport and sea transport are the least vulnerable. There are likely to be more road vehicles in future than today, although these will probably be lighter and more fuel-efficient than we are used to. If we wait until it is evident that the peak of global oil production has arrived, it will be too late to mitigate the effects.

Embarking now in a program of community engagement, tradeable fuel allocations, a fuel tax escalator and individualised marketing would reduce the risk faced – at least in Australia.

The Feasibility of Battery Electric Cars in New Zealand

Mike Duke, Timothy Anderson, Alista Fow - University of Waikato and Deborah Andrews - London South Bank University

Several challenges are facing road transport including the depletion of cheap oil reserves, increasing congestion, localised pollution, the need to reduce carbon emissions and develop sustainable transport solutions. A long term transport solution could be the introduction of cost competitive, comfortable, attractive, energy efficient 'Battery Electric Vehicles' (BEVs). This paper first discussed the barriers that have hindered the development of this type of electric vehicle and secondly, how they can be overcome.

The paper then discussed the development of the NZeco-Ultracommuter (NZ-U), a BEV currently under construction at the University of Waikato. The aim of the NZ-U project is to investigate the feasibility of BEV use in a 'post oil' New Zealand. It is intended that this vehicle will travel 250km per battery charge and so the technical features and predicted performance of the NZ-U were presented and discussed.

The technical specifications of the NZ-U were applied to two other BEVs, namely a single seat commuter vehicle and five seat family car. The performance and energy use of all three BEVs was subsequently calculated and compared with that of a conventional ICE (internal combustion engine) petrol car and an ICE car converted into a BEV. The results show that, depending on the BEV type, energy use is between 6 and 15 times less than that of a conventional ICE car when operating under the same conditions.

Finally the electrical energy required to charge a mixed fleet of 2 million BEVs was conservatively calculated. Ideally, electricity from renewable generation technologies should be used for battery charging and in this paper it was assumed that wind turbines will be used, even though this technology is not yet widely utilised in New Zealand.

The results showed that 464 x 3MW wind turbines would need to be installed to supply 2 million BEVs in New Zealand.

The use of fossil fuel oil as a source of energy for personal transportation will decrease relative to other fuels during the 21st century. However, it is difficult to predict the rate at which this will occur, the magnitude of the change or what alternative fuels and technologies will replace oil derivatives. Currently, a number of alternatives are under investigation; bio-fuels, hybrid/electric vehicles (HEV), hydrogen fuel cell vehicles (FCV) and Battery Electric Vehicles (BEV) are presented as contenders for the future of transportation.

Hybrids

The term hybrid generally refers to vehicles which are powered by an internal combustion engine and an electric drive train. Hybrid vehicles can be viewed as an intermediate solution, prolonging the use of fossil fuels before fuel cell vehicles (FCVs) or BEVs are widely available.

Fuel Cells

First invented in 1839, fuel cells were developed by NASA for the Gemini and Apollo space programs in the 1960s. While the majority of fuel cells are used in stationary applications, their use in vehicles is comparatively recent, unlike BEVs which have a long history and have been used for more than a century.

Fuel cells that convert hydrogen to electricity for powering electric vehicles have received significant attention; particularly in the USA, where the government is aiming for near independence from oil imports in the first quarter of this century. Even though the overall efficiency of hydrogen fuel cell vehicles is inferior to that of directly charged battery electric vehicles, the current high levels of investment mean that this fuel and technology could eventually replace fossil-fuelled ICE vehicles.

Battery Electric Vehicles (BEVs)

Battery electric vehicles were invented around the same time as the internal combustion engine vehicles (ICEVs) and in 1898 the electric 'Le Jamais Contente' became the first car to exceed 100 km/h. Production models readily competed with early petrol cars because they travelled at an equivalent speed. A combination of prolonged battery charging time and developments in internal combustion engine technology meant that by 1915 petrol and diesel engine cars predominated.

BEVs were thus, and still are, perceived as inferior to ICEVs, despite the fact that recent improvements in battery chemistry, electric drive train technologies, and body and component materials mean that the range of a typical production model has increased to an average of 80km on one charge. This easily meets the requirements of many drivers in New Zealand, for example where the average daily travel distance is approximately 40 km.

For many years the majority of major automotive manufacturers stated that the public's poor perception of BEVs meant that the potential market would not be large enough to be profitable even though various studies have shown otherwise.

In order to appeal to a wide market, the public must be convinced that BEVs can fulfil daily travel requirements and they must therefore look as though they can satisfy these requirements.

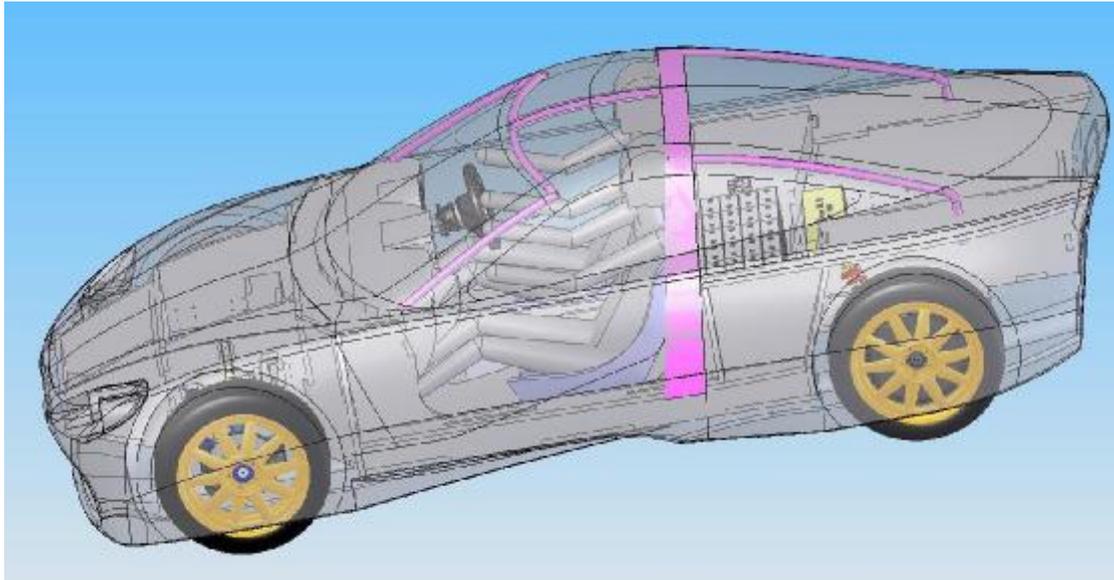
Battery electric vehicles should be at least as aesthetically pleasing as comparable ICEVs and they need to avoid being seen as an impractical solution to passenger transportation.

In 2006 this approach was realised by Tesla Motors who launched the Roadster, a two-seat sports car with a travel range of 400 km (250 miles) per battery charge. The intent of Tesla Motors was to develop a car that 'looked gorgeous' and 'was thrilling to drive' in order to change public perception about battery electric vehicles. Although initial production was limited, demand for the cars is exceeding availability.

Batteries

A key factor that led to the predominance of the petrol car over the battery electric car was that the energy density of petrol is 300 times greater than that of Lead/acid batteries, thus giving the ICEV superior range. This, coupled with cheap and abundant oil, meant BEVs were relegated to niche markets such as milk delivery floats, golf buggies and mobility scooters. However, recent improvements in battery performance has meant that BEVs could become a mainstream vehicle technology. Emerging battery and other recent technological developments have presented a great opportunity for New Zealand to be an early adopter of BEVs and to demonstrate use of these technologies. It is unlikely that New Zealand will be a major car manufacturing nation but there is potential for it to develop low volume BEV production for domestic and export markets.

The paper then discussed the 'NZ-U' in detail (refer diagram below) including performance and technical specifications etc.



Summary and Conclusion

The paper concluded that New Zealand transport faced a number of challenges in the coming decades; depletion of finite oil reserves, rising petrol prices, congestion, local pollution and the need to reduce greenhouse gas emissions. For passenger cars, alternative vehicle technologies and fuels such as BEVs, hybrids, biofuels and fuel cells are being widely investigated for the eventual replacement of conventional ICEVs.

Battery electric vehicles (using improved Lithium batteries that would last the life in service of the vehicle) are one possible solution and they must be lightweight, aerodynamic and have a high battery to wheel efficiency and, as such, the NZ-U would use approximately one ninth of the source energy compared to a conventional ICEV under the same operating conditions.

Applying NZ-U technology to different size BEVs would give similar, reduced source energy requirements compared with that for conventional ICE cars. High energy density battery chemistry such as Lithium-ion would enable well designed BEVs to have a range of 250-300km with existing technology and possibly double with improved Lithium batteries.

Too Much Talk - Not Enough Action

Stephen Selwood - New Zealand Council for Infrastructure Development

This paper compared how New Zealand's land transport infrastructure development contrasted with international best practice and identified the steps that must be taken to deliver better mobility outcomes for all New Zealanders.

It was indicated that a feature of the most mature and successful economies was that they possessed highly developed, well-integrated national planning, funding and implementation processes that support national infrastructure development. Planning takes a holistic long term approach and has strong "whole of government" direction and support.

Integrated transport plans need to be supported financially by budget appropriation, typically over four or five year cycles and there usually needs to be strong interaction between the public and private sectors in the provision and operation of physical infrastructure.

Travel Planning – What it Can Do for You, it's Contribution to Managing Travel Demand and Changing Behaviour

Ann Carruthers - Transit New Zealand

This paper outlined that much of the current transport debate is centred on the best way to tackle transport issues facing nearly every country across the planet. Climate change has ensured that even where congestion is not a problem, transport is.

It was suggested that the general acceptance is we cannot build our way out and that smarter more innovative travel and transport options are needed so travel planning was suggested as one element in this changing transport picture.

This paper looked at the role Transit New Zealand has in this area and considered the contribution travel planning could make in shaping New Zealand's transport future. Drawing on international experience, it also considered the impact that this contribution could potentially have over the longer term in the New Zealand context.

It was suggested that managing the demand for travel through changing established travel behaviours would not happen overnight, or as the result of one type of initiative. This would be the result of many pieces of the transport jigsaw coming together, including achieving real integration between transport and land use planning.

It was suggested that the advantages travel planning had were:

- The ability to reach a large number of people
- To significantly widen travel choice and to raise awareness of transport issues in a context immediately relevant to the individual and
- Offered a grassroots approach to change and with it the benefit of a truly sustainable outcome

For New Zealand's 50 year transport vision, however, the key question will be "can we bring about the circumstances that could potentially see an exponential increase in travel planning achievements that will really begin to create long term positive change". The paper explored that question.

Transit and Travel Demand Management

The paper discussed Transit New Zealand's Spectrum of Travel Demand Management (TDM) (refer table below).

At one end of the spectrum are the activities and initiatives designed to improve the attractiveness and encourage more use of non car modes of travel. This included removing the need to travel at all and included:

- Improving walking, cycling and public transport facilities and services;
- Initiatives to raise awareness and alter perceptions of available travel options i.e. the activities under this area are often termed the 'softer' options and have the main objective of changing travel behaviour.

The *mid point* on the TDM spectrum is about managing existing assets to ensure they are making their maximum contribution to access and mobility objectives while minimising the negative impacts of road transport. These impacts can include congestion, emissions and community severance.

More often than not, practical implementation in this area involves technology that increases capacity without the need to increase physical infrastructure. The outcome is a delay in the point at which congestion occurs and ultimately, the point at which new infrastructure is required. By progressing other areas of travel demand management at the same time, the overall objective is to minimise the need for new infrastructure.

The *other end* of the TDM spectrum covers the areas focused on discouraging car use which involves parking management aimed at reducing the attractiveness of the car, particularly in urban areas, and a range of pricing mechanisms.

Running right across the TDM spectrum is the land use planning function. Achieving integration of land use and transport planning should ultimately mean many of the issues transport faces today do not arise. Appropriate siting of new development should seek to minimise the need to travel. This can be achieved by ensuring that access to the goods, services and leisure opportunities that represent quality of life is provided which can potentially minimise the need to travel. Getting land use and transport planning right represents prevention rather than cure.



The presentation then covered:

- Travel planning
- Transit's role in travel planning
- Workplace Travel Plans

Incentives	Disincentives	Marketing/Promotion
Public transport improvements (services, infrastructure)	Reduced car parking allocation (reduce further over time)	Public transport information (hard copy, intranet/web based)
Free dedicated bus service from main centres or between work sites	Parking charges (daily charge, linked to salary)	Cycle/walking route information
Discounted public transport tickets	Parking permit system (limited number, on rotational basis)	Individual event promotion (site specific, national events)
Cycle/walking infrastructure improvements	Other parking management (exclusion for those who live close, based on need to use car)	Continuous travel plan marketing
Showers, lockers, secure parking		Travel plan branding
Car/van sharing schemes with guaranteed ride home facility		Employee support initiatives (e.g. Bicycle User Groups, "buddy" scheme, cycle training and servicing)
Priority parking for car sharers		Travel Plan Co-ordinator
Incentives for not using car/ giving up parking space (financial/ non-financial)		Travel Plan Champion
Interest free loans for equipment/season tickets		
Recruitment/organisational practices (e.g. recruitment by home location, public transport accessibility, pool vehicles for business use, deliveries)		
Working practices e.g. teleworking, compressed working weeks, video conferencing		

- School Travel Plans
- Walking Buses – designated adults collect a number of children along a route each day and are responsible for walking them to and from school.
- Cycle parking and locker facilities
- Off road cycle paths connecting residential area to school
- Traffic calming and road safety improvements around school
- Rationalisation of on-street parking around school
- Information on travel plan included in induction pack for parents
- Promotional/educational work with children e.g. maths lessons calculating distance travelled by those walking/cycling to school, Walk to School Week etc.
- Promotional work with parents encouraging them to walk or cycle with their child to school rather than drive, or if they have to drive

- Residential Travel Plans
 - Provision of information on public transport services and walking and cycling facilities
 - Where the residential development is high density it should provide covered, lockable enclosures for cycle parking. For lower density housing this can be accommodated within garages or sheds
 - Building on community passions/interests e.g. if particular interest in cycling
 - Establishing a community “champion” to promote the travel plan and encourage others
 - Personal journey planning that works with individual households to suggest alternative travel options for at least some of their journeys
 - Offer introductory promotions e.g. free bus pass for a week or for specific journeys
 - Travel information pack to all new householders

- The Benefits Of Travel Planning
- Challenges In Implementing Travel Plans
- Travel Planning Achievements
- Conclusions:
 - Travel demand management offers a toolkit for a wide range of different measures and initiatives
 - In the short term, it will not radically change the face of transport
 - It takes relatively little resource to implement compared with more traditional approaches to transport problems, and more importantly it empowers the individual to take positive action and can be the catalyst in effecting wider lifestyle and cultural changes
 - The biggest challenge for travel planning lies in encouraging enough individual action to ensure the sum total begins to make a difference

Global Car Demand and Climate Change: A Regionalised Analysis into Growth Patterns of Vehicle Fleets, CO2 Emissions, and Abatement Strategies

Ina Meyer - Austrian Institute of Economic Research

Marian Leimbach - Potsdam Institute for Climate Impact Research

This presentation analysed and projected global regionalised car stock demands and associated CO2 emissions up to the year 2050 to quantify the evolution of global passenger vehicle fleets and to assess the significance of the private car sector with respect to climate change in terms of CO2 emissions.

The study undertaken adopted an international approach describing a total of 11 world regions thereby conceptualising regionally distinct growth patterns of average car stocks on a business-as-usual basis.

To facilitate the assessment, the paper pursued a multi-model approach to car demand, applying two types of methodologies rooted in the economics of consumption, notably utility maximisation and single equation income-consumption models.

The first of these methods was driven by the preferences of the representative consumers of each world region. This method was complemented by the application of income-consumption models, in order to allow for comparisons in model results.

Both methods were calibrated to historical time series data of car stocks and income of the representative consumers of each region. Data was collated and processed for the study. Model projections were driven by specific income and population scenarios for various regions adopted from an aggregated economic growth model. Price scenarios were defined and employed as input variables in the utility-based approach.

Associated reference CO2 emissions scenarios of the world car fleet currently in use were computed on the basis of behavioural and technological assumptions about the distances driven per average unit of car and about the average fuel efficiency of the regional car fleets in use.

Finally, the impacts of CO2 emissions abatement on the world passenger car fleet in use were demonstrated for:

- Improved energy efficiencies of the car fleets in use and
- Scenarios of biofuel use up to the year 2030

The paper then discussed:

- Cars and climate change
- Patterns of car stock growth
- Alternative emissions scenarios – the case for energy efficiency and renewable energy
- Scenarios of vehicle fuel efficiency improvements
- Scenarios of biofuels in passenger transport
- Prospects for abatement strategies in the passenger car sector
 - A displacement of oil by moderate growth trajectories of biofuel use in the order of magnitude of 6% to 8% does not yield substantial reductions in CO2 emissions if reference trends in the growth of passenger car demand and use are going to prevail. This lead to the conclusion that:
 - energy efficiency improvements and biofuel use must be enhanced and
 - there is no silver bullet, no single technology to drive the scale of emissions reductions needed to break the trend of ever growing passenger car related emissions.
 - One of the main targets should be to ease growth in car demand and use because this could multiply the impacts from efficiency improvements and biofuel use.

In Search of New Modes of Transport to Cope with the Imbalance Between Demand and Supply

Prof. Dr. Willy Winkelmans – ITMMA – University of Antwerp

This paper dealt with the Transport of freight and suggested that only by inventing and implementing new modes of transport the total transport capacity will substantially extend to where a new balance between demand and supply can be achieved.

It contended that the bottom line was that it must be possible to recover the cost of construction and maintenance in view of keeping the enlarged mobility sustainable and therefore that in this context the feasibility of a new transport mode should not be considered as something belonging to fairytales.

It was indicated that over the centuries new transport modes came into operation and so, why should this no longer be possible now in an age, of vigorous and energetic technological evolutions and innovations more effective than ever before?

Surface transport capacity extensions are very often confronted by severe limitations in speed and size as a function of the density of population and the existence of (desirable) biotopes, especially in and around towns and natural parks. In addition new surface transport technologies are not easily applicable everywhere.

A new and innovative solution, the Swiss Metro, Deurganck Dock – which is ready to become a pilot project, was then discussed. It was demonstrated that this “Unit Transport by Pipeline” (UTP) or “Underground Tubular Transport” (UTT) is fitting perfectly into the new millennium challenge and that “Underground Logistics Systems” (ULS) will follow.

Walking – The Invisible Mode

Cr Celia Wade-Brown - Living Streets Aotearoa

Living Streets Aotearoa is a not-for-profit organisation set up to promote walking, walkable environments and positive attitudes to walking by decision-makers. Our vision is “More people choosing to walk more often.”

This presentation indicated that walking is often portrayed as the invisible mode which begins with the absence of data. Travel surveys admit “for walking trips no distance estimates were recorded”. In addition, health and fitness experts concentrate on recreational walking rather than the everyday utilitarian trips. Traffic engineers do not use a level of service for pedestrians. Conferences and strategies frequently combine walking with cycling, although the modes are more different than buses are from cars.

The question asked was, is the invisibility of walking due to its ubiquity, its cheapness or advocates’ reluctance to demand Think Big projects?

Does the invisibility matter – is walking merely a pastime of the grey haired woman or can it make a significant difference to Transport over the next fifty years?

The presenter from Living Streets Aotearoa advised she believed that walking was an important mode for many reasons – health, pollution, social cohesion and economic vitality. Walking strongly supported public transport and was almost universally available.

The LandTransport NZ definition of pedestrians is as follows:

“Pedestrians means walkers and any person who is allowed to use a mechanical device to travel on the footpath (eg, users of mobility scooters, skateboards, roller blades, scooters and power chairs)”

The presentation then covered the following:

- Are we really disappearing?
- Data and surveys
- Design, engineering and expenditure
- Training
- Other sustainable modes
- Journey planners and maps
- Drivers, crashes and phases
- Lobbying and support
- Underestimating costs

- Why walking matters
 - Social, health & cultural reasons
 - Environmental reasons
 - Economic reasons
- Recent improvements in visibility – highlights
 - Data
 - Strategy and policy
 - Action and collaboration

Climate Friendly Workplace Travel Plans

Kevin Luten - UrbanTrans ANZ

The paper indicated that surface transport represented a significant portion of global greenhouse gas (GHG) emissions. In addition to advances in vehicle design and clean fuels, pressure remains to reduce the overall demand for travel. Transport demand management (TDM) has an implementation track record worldwide, but has not always targeted greenhouse gas reduction as a primary goal.

It was indicated that as evidenced by the international Carbon Disclosure Project, the Global Reporting Initiative, the Australian Greenhouse Office's Greenhouse Challenge Plus program, and other efforts, national and multinational corporations are increasingly taking a leadership role on climate change issues.

Among the strengths of these voluntary programs is the ability of individual enterprises to determine the GHG emission reduction strategies most appropriate for their particular organisation.

It was outlined that the first step for organisations developing GHG emission reduction strategies was to determine a GHG inventory. For transport activities that are included in the GHG inventory, a business may then explore strategies to reduce transport-related emissions from business travel and/or employee commutes.

Throughout Australia and New Zealand, efforts to improve transport efficiency at employment locations are referred to as "workplace travel plans".

It was suggested that workplace travel plans can play a key role in climate change solutions if they are implemented on a wider scale than evidenced by recent trends in Australia and New Zealand. It was further suggested that several opportunities existed to expand the implementation of workplace travel plans, including:

- Pushing for greater clarification on inclusion of employee commutes within an organisation's GHG inventory, with government leading by example
- Linking the workplace travel plan process to complementary organisational planning processes, such as GHG strategy development, corporate social responsibility strategy development, or sustainability reporting processes
- Initiating recruitment strategies linked to rapidly growing climate change initiatives to expand workplace travel plan uptake
- Ensuring government-sponsored workplace travel plan support programs are scalable.

TOD – Beyond Concept into Strategy

Louisa Carter - GHD Pty Ltd

The presenter of this paper outlined that the twenty-first century will be characterised by the massive growth of cities, particularly in the developing world and that concepts such as transit oriented development (TOD) will have the potential to respond to the growing problems surrounding accessibility and urbanisation.

It was indicated that South East Queensland recently became the subject of new regional statutory controls regarding the location and form of future development over a twenty year timeframe to 2026. A strong feature of the South East Queensland Regional Plan was a requirement for development to be 'transit oriented'.

Infrastructure funding has been committed to deliver the 'plan' including up to \$10.434B in new high quality, high frequency public transport investment (bus and rail), and \$365M in walking and cycling facilities.

Further, the presenter indicated that there was a number of risks associated with the 'plan' from a transport perspective. Central to its success will be ensuring that most new developments in the region were not only accessible by public transport, walking and cycling, but that they contributed to maximising the efficiency of the transport system. To prepare the Plan, the required mode shift and total increase in trip numbers via sustainable transport modes was calculated at a regional level, where the transit benefits of TOD (amongst other strategies) were considered across the whole of the transport network.

The next stage in preparing for success or understanding failure of these concepts will be to develop a TOD performance monitoring framework which incorporates not only analysis of transport objectives, e.g. travel time savings, mode shift, but also other associated amenity objectives of the Plan, e.g. urban amenity in terms of noise and air quality, reliable pedestrian access etc.

The paper focused upon the context and outcomes of transit oriented development in South East Queensland through a hypothetical case study analysis.

Demographic Development and its Consequences for Traffic and Mobility

Prof. Dr Ing. Felix Huber - University of Wuppertal, Germany

Dr Ing indicated that Germany shows one of the lowest birth rates among the developed countries in the world. This is resulting in a declining population - most of all in the long term consideration over the next 50 years - and a society which is growing older with various consequences - not only with regard to the social affairs of the society - but also the demand for traffic and mobility supplies.

The presentation focused on the following topics:

- The demonstration of the demographic development taking Germany for an example in its spatial differentiation and with its inherent inevitability of the processes
- The affects on spatial and urban development (i.e. shrinking cities, rural areas becoming extinct)
- The affects of this development on mobility and the different transport modes
- Sketching the fields of reaction (space, infrastructure, operation) and the different measures to avoid negative effects (i.e. support deficits, growing costs for maintenance, lack of social participation)

- Giving an overview over the discussion among traffic specialists in Germany on selected topics (like seniors-oriented solutions for service in public transport)

The author reported his own research results.

Other Sessions

Some of the other sessions attended by the DTS and Cr Torre included the following:

- Why Engineers and Planners should talk - The message from this paper was that the aim must be to have engineers and planners sitting in the same room establishing common solutions. It is only through dialogue that future transport networks and urban areas will be developed in a strategic, efficient and affordable manner
- Global Harmonisation of Traffic Signs - This was a very interesting presentation which outlined the many different signs e.g. shape, colour, designation, status etc in South East Asia and the need to rationalise and create uniformity.
- The shape of passenger transport - Looked at new technologies to meet society's demands for reduced pollution and more efficient energy use, improved passenger services and comfort, improved priority infrastructure, on demand services based on new technology as well as new and innovative tour coaches and school transport services.
- Managing Congestion, are we willing to pay the price - The paper concluded that congestion was unlikely to be reduced significantly and that there will be major challenges to maintain congestion at current levels as opposed it getting progressively worse. The paper also concluded that a central policy must be considered comprising time-distance-place user charges.
- Pushing towards improved traffic planning for the bicycle - A large proportion of trips are of relatively short distance in most western urban areas. Despite this, and the speed advantage that the bicycle brings for shorter journeys, the bicycle is a relatively underused mode, and the trend in use is not increasing. Low use has resulted partly from the focus in traffic engineering on motor traffic, to the exclusion of bicycle traffic. However, the benefits to health and fitness, the reductions in noise, pollution and severance and the de-congestion benefits of the bicycle are being more widely recognised. Appropriate planning and engineering for bicycle traffic is needed as a matter of urgency.

Many other interesting papers were presented with thought provoking panel discussions throughout the three days, and the conference concluded on Friday 27 July 2007, with a closing address by the Chief Executive officer of the New Zealand Ministry of Transport.

CONSULTATION/ADVERTISING:

N/A.

LEGAL AND POLICY:

The Council's Policy relating to Attendance at Conferences requires a report to be submitted to the Council and for a copy of the report to be placed in the Town's Library.

STRATEGIC IMPLICATIONS:

In keeping with the Town's Strategic Plan 2006-2011 – Objective 4.2 - *"Provide a positive and desirable workplace"*, in particular, 4.2.4(b) - *"Enhance employee empowerment, professional development and job satisfaction and create a workplace that encourages and rewards innovation, implements best practice, and positions the Town as an Employer of Choice"*.

FINANCIAL/BUDGET IMPLICATIONS:

N/A.

COMMENTS:

As mentioned in the report, over 600 delegates participated in the Conference and the event had a significant focus on all areas of transportation and what is to be expected in the future, including funding, land use and urban planning, energy, public transport, travel behaviour/demand management.

Alternative energy sources to fuel transport, peak oil the feasibility of electric vehicles, travel planning, alternative transport modes, walking, cycling were all discussed with the overwhelming message being that change is required to ensure economic success and environmental sustainability.

It was evident from the presenters and delegates attending the conference that there is a growing awareness that things need to change and that change needs to start now. It was compared by one presenter as a fully laden oil tanker that needs to start slowing down 20km from port or it will not stop in time. We need to start developing/implementing new technologies now, change mind sets and be aware of what the consequences will be if we do not.

Many positives came from the conference including the many initiatives currently underway globally.

Dr Goldin from the James Martin 21st Century School at Oxford University was thought provoking when he stated that *predicting the future is not something sensible people should do, smart people get things very wrong over a very short period of time*. He also stated that former United Kingdom Prime Minister, Margaret Thatcher, predicted that Nelson Mandela would *never rule South Africa (when he was still in prison)*. He concluded that *we must continue to find solutions to resolve difficulties as well as harvesting the opportunities that will come from technological and social change*.

10.3.2 Authorisation of Expenditure for the period 1 - 31 July 2007

Ward:	Both	Date:	10 August 2007
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	Melike Orchard		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) *Schedule of Accounts for the period 1 July – 31 July 2007 and the list of payments;*
- (ii) *direct lodgement of payroll payments to the personal bank account of employees;*
- (iii) *direct lodgement of PAYG taxes to the Australian Taxation Office;*
- (iv) *direct lodgement of Child Support to the Australian Taxation Office;*
- (v) *direct lodgement of creditors payments to the individual bank accounts of creditors;
and*
- (vi) *direct lodgement of Superannuation to Local Government and City of Perth superannuation plans.*

as shown in Appendix 10.3.2

COUNCIL DECISION ITEM 10.3.2

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Torre was an apology for the meeting. Cr Chester was absent from the Chamber.)

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
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Nil.

PURPOSE OF REPORT:

To seek authorisation of expenditure for the period 1 - 31 July 2007.

BACKGROUND:

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

DETAILS:

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

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Town of Vincent Advance Account	EFT	\$1,210,772.49
Total Municipal Account		\$1,210,772.49
Advance Account		
Automatic Cheques	59408-59460, 59462-59469, 59492, 59511-59570	\$1,147,863.51
EFT Batch		
Municipal Account		
Transfer of Creditors by EFT Batch	678-681, 683-688, 690	\$1,734,774.43
Transfer of PAYG Tax by EFT	July 2007	\$183,900.55
Transfer of GST by EFT	July 2007	\$0.0
Transfer of Child Support by EFT	July 2007	\$643.94
Transfer of Superannuation by EFT:		
• City of Perth	July 2007	\$40,542.32
• Local Government	July 2007	\$100,357.45
Total		\$3,208,082.20
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$3,792.25
Lease Fees		\$2,354.13
Corporate Master Cards		\$9,822.40
Australia Post Lease Equipment		\$0.00
Trace Fees		\$0.00
Loan Repayment		\$0.0
Rejection Fees		\$2.50
System Disk Fee		\$0.00
Beatty Park - miscellaneous deposit		\$0.00
Total Bank Charges & Other Direct Debits		\$15,971.28
Less GST effect on Advance Account		-\$224,863.19
Total Payments		\$4,209,962.78

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 – Key Result Area 4.2 – Governance and Management

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

ADVERTISING/CONSULTATION:

Nil.

COMMENT:

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

10.4.1 Loftus Centre Redevelopment, 99 Loftus Street, Leederville – Approval of Internal Colour Scheme and Costing for Public Open Space Works

Ward:	South	Date:	22 August 2007
Precinct:	Oxford Centre; P4	File Ref:	RES0061
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the Report relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville, concerning the proposed internal colour scheme and costing for Public Open Space works;
- (ii) **APPROVES**;
 - (a) the internal colour scheme, as detailed in this report and colour boards as “laid on the table”; and
 - (b) the Contract Variation with Perkins Builders for the Loftus Centre earthworks and adjoining Public Open Space (POS) works, as shown in Plan Nos. 2439-LS-01 and 2439-DP-01B, as shown in Appendix 10.4.1, at a cost of \$397,447 (excluding GST);
- (iii) **NOTES** that the funding source for the Public Open Space earthworks' shortfall of \$68,117 will be considered at the mid year Budget Review in early 2008; and
- (iv) **AUTHORISES** the Chief Executive Officer to make minor variations to the colour schemes and Public Open Space works, should it be necessary.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Torre was an apology for the meeting. Cr Chester was absent from the Chamber.)

PURPOSE OF THE REPORT:

The purpose of the report is to obtain the Council approval of the Loftus Centre Redevelopment internal colour scheme and costing for the Loftus Centre earthworks and adjoining Public Open Space (POS) works.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 January 2007, the Council considered this matter and resolved to award the building tender to Perkins Builders and for the project to proceed. At the Ordinary Meeting of Council held on 10 July 2007, the Council approved of the Leederville Oval Public Open Space plans, as follows;

"That the Council;

- (i) *RECEIVES the report on the Proposed Leederville Oval Public Open Space Redevelopment - 246 Vincent Street, Leederville; and*
- (ii) *NOTES that;*
 - (a) *it previously adopted the Public Open Space Redevelopment concept plans at its Special Meeting held on 17 October 2006 (as shown in Appendix 10.2.7);*
 - (b) *the Town's Technical Services Officers have finalised construction plans for the Leederville Oval Public Open Space redevelopment (as shown on plan No. 2439-LS-01 Appendix 10.2.7) and are in the process of obtaining quotations for the earth works and the construction of tiered seating, from the builder of the Loftus Centre Redevelopment;*
 - (c) *the proposed tiered seating will comprise limestone retainers with turfed steps (refer detail plan No. 2439-LS-01 - Appendix 10.2.7);*
 - (d) *the Public Open Space Redevelopment works on the south side of the Loftus Community centre are currently in progress (refer detail in Appendix 10.2.7B); and*
- (iii) *REQUESTS that the inclusion of the link between Leederville TAFE and the Loftus Recreation Centre and the advantages of economies of scale be further investigated (with the aim of carrying out this work concurrently with the tiered seating works)."*

1. Internal Colours:

A decision on the project internal colour scheme is required, in order to ensure the construction timeline is maintained.

The Library and Local History Centre contains a number of separate and specific areas, and the colour scheme is summarised as follows::

Area	Comment
Entry/Foyer	This area will be light and inviting. The floor will be a natural stone tile with a light grey border tile to distinguish it from the Donnybrook stone feature wall.
Main Library	The carpet is in the "blue tones" with dark blue features. The walls will be light (white).
Reception Counter	The counter body will be American Cherry veneer, with light grey top and darker grey feature panels.
Wet areas	The tile will be in the grey tone with light grey feature tile.
Main Library Ceiling	Ceiling void will have a plywood acoustic panel with clear sealer and black coloured rebate (background).
Doors and Door Frames	Door frames will be in the light grey tones with similar colour door panels.

Children's Area	The Children's Area will have an array of bright colours for the furniture. The vinyl will have a blue tone with feature infills.
Staff Kitchen	The vinyl will be light grey. Upholstery materials will be in the corporate burgundy and blue/green
Staff Areas	The carpet will be a looped pile in the blue tones. Walls will be white.
Cabinets & Fixed Furniture	Tops will be in a natural (light grey) finish and vertical surfaces will be predominantly Red Cherry laminate.

The Project Architect has recommended the following;

Job No. 0365

Date: 22 August 2007

INTERIOR COLOUR SCHEME / FLOOR FINISHES

Item	Code	Finishes/Colour
CARPET TILE/ LIBRARY- TYPE1 (CUT PILE)	C1	ONTERA/ ENVISIONS; MANHATTAN COLOUR: MADDISON 315 ISLAND
CARPET TILE/ LIBRARY- TYPE2 (CUT PILE)	C2	ONTERA/ ENVISIONS; MANHATTAN COLOUR: MADDISON 415 SQUARE
FEATURE CARPET/PATTERN (CUT PILE)	FC1	ONTERA ENVISIONS BASE COLOURS CLEAR WATER 836
FEATURE CARPET/PATTERN (CUT PILE)	FC2	ONTERA ENVISIONS BASE COLOURS CASPIAN 823
FEATURE CARPET/PATTERN (CUT PILE)	FC3	ONTERA ENVISIONS BASE COLOURS OCEAN DEEP 827
CARPET / OFFICE AREA-TYPE3 (TEXTURED PATTERN LOOP PILE BROADLOOM CARPET	C3	TUFTMASTER /CONTEXTURE EMPRESS BLUE 600
MAIN FLOOR TILE/LIBRARY FOYER (300X600) R11	T	TECNOQUARTZ DORAL/ NATURALE (TILES EXPO PH 9328 8111)
FEATURE BORDER TILE/ LIBRARY ((300X600 TILE CUT TO 300X300)	FT1	ORIGINAL CERAMICS PH 9444 8087 FREEZE; MATT
FLOOR TILE/ WET AREAS (200X200) R10	T1	ORIGINAL CERAMICS PH 9444 8087 CERCOM; GALENA
FEATURE TILE/ WET AREA 50X50 MOSAIC TILE	FT2	TILES EXPO PH 9328 8111 ICER U003 ; CHARCOAL UNGLAZED
VINYL/ CHILDRENS AREA		
MAIN VINYL	V	TAPIFLEX TX OPTIC 4 CANDY 3636 019

FEATURE VINYL	FV1	TAPIFLEX TX OPTIC 4 VISION; DIGITAL 3628 001
FEATURE VINYL	FV2	TAPIFLEX TX OPTIC VISION BAYADERE 3628 006
VINYL/ AMENITY AREAS	FV3	ARMSTRONG ACCOLATE PLUS CRONULLA BLUE
INTERIOR COLOUR SCHEME / WALL FINISHES		
MAIN WALL TILE/SKIRTINGS - TOILET (200X100)	WT1	TILES EXPO PH 9328 8111 TE 2010 COLOUR: WHITE GLOSS FINISH
MAIN WALL COLOUR	W	TAUBMANS FLANNEL FLOWER T161 -1W
FEATURE WAL COLOUR	FW1	DULUX COLOUR SPECIFIERBLUE FIN P39.E5
FEATURE WAL COLOUR	FW2	DULUX COLOUR SPECIFIER ROSE PINK VILLA P01.F9
FEATURE WALL COLOUR	FW3	TAUBMANS TELOPEA T115-5W
FEATURE WALL COLOUR	FW4	TAUBMANS DRAGONFLY T151-5W
CEILING/ LIBRARY		
SONA PANEL PERFORATED PLYWOOD ACOUSTIC PANELS	AC/C	HOOP PINE (1/4 CUT) WITH CLEAR LACQUER FINISH WITH BLACK COLOURED REBATE
NATURAL STONE WALL CLADDING/ FOYER	W/S	SELECTED DONNYBROOCK STONE CLADDING
DOOR FRAMES/ PANELS	DF/P	DULUX POWDERCOATINGS STONE GREY 78126
PINBOARD	PB	LAINÉ FURNISHINGS RANGE NAME: ESCAPE COLOUR: WILDERNESS
CABINET WORK FINISHES/ RECEPTION COUNTER & DISPLAY WALL UNIT (FOYER)		
TIMBER VENEER	TV	FORMEX/ NATURALS AMERICAN CHERRY
LAMINATE/ COUNTER TOP	L/B	LAMINEX LAVA FLUX ;NATURAL FINISH

LAMINATE/ VERTICAL SURFACE	L2	LAMINEX NEW GRAPHITE NATURAL FINISH
LAMINATE/ VERTICAL SURFACE	L3	LAMINEX RED CHERRY; NATURAL FINISH
CABINET WORK/ CHILDRENS & YOUNG ADULTS AREAS		
LAMINATE	L4	LAMINEX OLIMPIA YELLOW FLINT FINISH
LAMINATE	L5	LAMINEX OLIMPIA ORANGE FLINT FINISH
LAMINATE	L6	LAMINEX PILLARBOXFLINT FINISH
LAMINATE	L6/a	LAMINEX OLIMPIA RED FLINT FINISH
LAMINATE	L7	LAMINEX RASPBERRY FLINT FINISH
LAMINATE	L8	FORMICA BUD VELVET FINISH
LAMINATE	L9	FORMICA PEACOCK NATURAL FINISH
LAMINATE	L10	FORMICA PANSY VELVET FINISH
LAMINATE	L11	FORMICA OLIMPIA BLUE VELVET FINISH
TOILET PARTITIONS/ RYANT INDUSTRIES/ TRIMLINE SERIES MK1 PARTITIONING SYSTEM		
MAIN PANELS	L1	LAMINEX POLAR WHITE NATURAL FINISH
DOOR PANELS	L2	LAMINEX NEW GRAPHITE NATURAL FINISH
UPHOLSTERY MATERIAL		
CHILDRENS LIBRARY /SEATING	F1	TEXTILE MANIA ARTICLE: SCALE 8075-E188 COLOUR: BARENTS
YOUNG ADULTS LIBRARY	F2	TEXTILE MANIA ARTICLE: SCALE 8075-H225 COLOUR CARIBBEAN

TASK CHAIRS/ OFFICES	F3	LAINÉ FURNISHINGS RANGE NAME: AMBIENCE COLOUR: SPELLBOUND
STAFF ROOM CHAIRS	F4	LAINÉ FURNISHINGS RANGE NAME: AMBIENCE COLOUR: MEDIEVAL

2. Earthworks and Adjoining Public Open Space

Perkins Builders have submitted a cost to carry out works on the Leederville POS (in conjunction with the significant earthworks) as follows:

- Earthworks
- Red asphalt paths
- Concrete steps and concrete surrounds to existing light poles
- Limestone terraces
- Painted heavy duty barrier railing to concrete steps

The cost to implement these works is \$397,447.00*

(* *This excludes the northern retaining wall of \$59,552.00 as it is considered that the Town does not need to build this at this stage.*)

The cost of the POS was estimated to be \$620,000 in 2006. However, the scope of work has since expanded to what is indicated on the attached plans. This includes;

- (a) An additional 54 metres of tiered seating from the northern-most light tower on the eastern bank around to behind the goalposts on the north side.
- (b) An additional 72 metres of pathway associated with works specified in Clause (a) above.

It is considered that the Perkins' price is fair and reasonable. This has been verified by the Project Quantity Surveyor. The Town previously estimated the earthworks path construction, tiered seating, (excluding concrete steps, railing, etc and reduced scope of work) to cost approximately \$330,000 (in early 2006).

Justification for Contract Variation

A contract variation is justified as follows;

- (a) cost savings to the Town by using the same stonemason, who is familiar with the site and works;
- (b) significant cost savings (estimated \$20-\$25,000) to the Town by removing the need to shift the large volumes of sand from the site, in order to allow completion of the Loftus Centre;
- (c) significant cost savings (estimated \$10,000) to the Town by using the surplus sand on the Loftus site;
- (d) considerable time saving by having an approved contractor on site, who will concurrently carry out the works along with other builder works (e.g. installation of the large stormwater "Atlantis cell", stairways and driveway); and

- (e) the works will be completed by late 2007.

Town Works

The "estimated" cost of works still to complete after the builder works are completed would be:

• Landscaping	\$53,570
• Electronic score board	\$45,000
• Reticulation	\$42,000
• Lighting	\$28,000
• Gate House and Fencing	\$9,000
• Extend red path to rear of Admin Centre	\$8,500
• Electrical	\$7,000
• Contingency	\$5,000
• Colorbond fence for Child Care	\$2,600
Total	<u>\$200,670</u>

ADVERTISING/COMMUNITY CONSULTATION:

Not applicable. The Town's Public Relations Officer has created a "Corporate Projects" site on the Town's web page and background information, together with weekly photographs are included on this site. The web-site is being updated on a regular basis.

LEGAL/POLICY IMPLICATIONS:

N/A.

STRATEGIC IMPLICATIONS:

This project is in keeping with the Town's Strategic Plan 2006-2011, Objective 1 - "*Natural and Built Environment*", in particular, 1.1.6(j) - "*Carry out redevelopment of the Loftus Centre....*".

FINANCIAL/BUDGET IMPLICATIONS:

At the Ordinary Meeting of Council held on 23 January 2007, the Council approved this project at a cost of \$13,444,664. The building tender is \$11,901,664 (excluding GST).

The 2007/2008 budget also contains an amount of \$530,000 for the POS works. After allowing for the Builder's cost, a shortfall of \$68,117 (i.e. \$397,447 plus \$200,670 less \$530,000) will result, in order for the Town to complete the POS works. This can be funded as follows;

1. Re-allocation from another project.
2. Use of Leederville Oval Reserve Funds.
3. Cost savings from other projects.

It is considered premature to make a decision on the source of funds at this stage. This should occur at the mid-year Budget Review in early 2008.

COMMENTS:

It is pleasing to report that good progress is still being made with the Loftus Centre Redevelopment Project and no major problems have occurred or been identified at this stage. The builder has been most accommodating and has worked with the Town's Officers and the Recreation Centre and Community Centre staff to minimise inconvenience.

A decision on the internal colour scheme and POS works is required in order to allow the Builder to continue with their timeline.

Monthly progress reports will be provided to the Council as the project progresses.

10.4.3 Information Bulletin

Ward:	-	Date:	23 August 2007
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	G van den Bok		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 28 August 2007, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Torre was an apology for the meeting. Cr Chester was absent from the Chamber.)

DETAILS:

The items included in the Information Bulletin dated 28 August 2007 are as follows:

ITEM	DESCRIPTION
IB01	Heritage Council of WA Newsletter Article relating to Town of Vincent honours in 2007 Heritage Council Awards
IB02	Letter from WALGA regarding Swan River Trust Board – Local Government Representation
IB03	Letter from Department of Housing and Works regarding Amendments to the Local Government (Miscellaneous Provisions) Amendment Act 1960 (the Act)
IB04	Letter dated 15 August 2007 from Synergy advising that all accounts are now registered for 25% Natural Power
IB05	Letter dated 23 July 2007 from Synergy advising of progress with regard to addressing street lighting issues
IB06	Letter dated 6 August 2007 from FESA regarding FESA Built Environment Branch
IB07	Letter of Appreciation from The West Australian for the Town’s efforts in helping set up the new Jack Sweet Media Centre at Medibank Stadium
IB08	Letter of Thanks from Annie Mills for the Sports Sponsorship for Josephine TOMIC
IB09	Letter from ICLEI – Local Governments for Sustainability regarding the “Water Campaign”
IB10	Letter of Thanks from Mr Geoff Aylmore for replacement street tree

10.1.5 No. 38 (Lot: 67 D/P: 1197) Chapman Street, Perth - Proposed Demolition of Existing Single House and Construction of Two (2), Two (2) Storey Single Houses

Ward:	South	Date:	21 August 2007
Precinct:	Banks, P15	File Ref:	PRO3944; 5.2007.137.1
Attachments:	001_002		
Reporting Officer(s):	A Du, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Sandra Bransby Planning and Construction Consultant on behalf of the owner G K & M P Vij and S Nanda-Paul for proposed Demolition of Existing Single House at No. 38 (Lot 67 D/P: 1197) Chapman Street, Perth, and as shown on plans stamp-dated 16 April 2007, subject to the following conditions:*
- (a) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
 - (b) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (c) *a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
 - (d) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
 - (e) *demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
 - (f) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No.1 and associated Policies; and*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Sandra Bransby Planning and Construction Consultant on behalf of the owner G K & M P Vij and S Nanda-Paul for proposed Construction of Two (2), Two (2) Storey Single Houses, at No. 38 (Lot 67 D/P: 1197) Chapman Street, Perth, and as shown on plans stamp-dated 16 April 2007, for the following reasons:*

-
- (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (b) *the non-compliance with the plot ratio, building setbacks, building on boundaries and privacy requirements of the Residential Design Codes;*
 - (c) *the plot ratio requirement proposed to be varied is as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements; and*
 - (d) *consideration of the objections received.*
-

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Cr Lake requested that clauses (i) and (ii) be voted upon separately and the Presiding Member agreed to this.

Debate ensued.

Clause (i) PUT AND CARRIED (8-0)

Clause (ii) PUT AND LOST (0-8)

Reasons:

1. **Design articulation.**
2. **Value of gaining vehicle access from the rear of the property.**
3. **Approval of the neighbours.**

(Cr Torre was an apology for the meeting)

ALTERNATIVE 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 Sandra Bransby Planning and Construction Consultant on behalf of the owner G K & M P Vij and S Nanda-Paul for proposed Demolition of Existing Single House and the Construction of Two (2), Two (2) Storey Single Houses, at No. 38 (Lot 67 D/P: 1197) Chapman Street, Perth, and as shown on plans stamp-dated 16 April 2007, subject to the following conditions:

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

- (ii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iv) *any new street/front wall, fence and gate between Chapman Street and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (v) *first obtaining the consent of the owners of Nos. 36 and 40 Chapman Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of these boundary (parapet) walls facing Nos. 36 and 40 Chapman Street in a good and clean condition;*
- (vi) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Chapman 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);*
- (vii) *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.; and*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*

- (a) *the balcony to the master bedroom on the western elevation of "Res 1" and the balcony to the master bedroom on the eastern elevation of "Res 2" being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 36 and 40 Chapman Street stating no objection to the respective proposed privacy encroachments; and*
- (b) *nib walls of both garages adjacent to the respective eastern and western boundaries being a minimum width of 750 millimetres.*

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

Moved Cr Maier, Seconded Cr Farrell

That the Alternative Recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

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

"(vi) a detailed landscaping plan, including a list of plants and the landscaping ~~and reticulation~~ of the Chapman Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and"

Debate ensued.

AMENDMENT PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

COUNCIL DECISION ITEM 10.1.5

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 Sandra Bransby Planning and Construction Consultant on behalf of the owner G K & M P Vij and S Nanda-Paul for proposed Demolition of Existing Single House and the Construction of Two (2), Two (2) Storey Single Houses, at No. 38 (Lot 67 D/P: 1197) Chapman Street, Perth, and as shown on plans stamp-dated 16 April 2007, subject to the following conditions:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iv) any new street/front wall, fence and gate between Chapman Street and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (v) first obtaining the consent of the owners of Nos. 36 and 40 Chapman Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of these boundary (parapet) walls facing Nos. 36 and 40 Chapman Street in a good and clean condition;*

- (vi) *a detailed landscaping plan, including a list of plants and the landscaping of the Barlee Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vii) *prior to the issue of a Building Licence, 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.; and*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *the balcony to the master bedroom on the western elevation of "Res 1" and the balcony to the master bedroom on the eastern elevation of "Res 2" being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 36 and 40 Chapman Street stating no objection to the respective proposed privacy encroachments; and*
- (b) *nib walls of both garages adjacent to the respective eastern and western boundaries being a minimum width of 750 millimetres.*

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

Landowner:	G K & M P Vij & S Nanda-Paul
Applicant:	Sandra Bransby Planning and Construction Consultant
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	498 square metres
Access to Right of Way	North side, 3.5 metres wide, sealed, Town owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of an existing single house and the construction of two (2), two (2) storey single houses on the subject property. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2.7 dwellings at R60	2 dwellings R60	Noted – no variation.
Plot Ratio	0.65 – 324 square metres	0.746 – 372 square metres	Not supported – refer to ‘Comments’ section.
Building Setbacks: Ground Floor -East	1.5 metres	Nil – 2 metres	Not supported – refer to ‘Comments’ section.
-West	1.5 metres	Nil – 2 metres	Not supported – refer to ‘Comments’ section.
First Floor -East	2.8 metres	1.2 – 2 metres	Not supported – refer to ‘Comments’ section.
-West	2.8 metres	1.2 – 2 metres	Not supported – refer to ‘Comments’ section.
Balcony -South/ Chapman Street	6 metres	4.2 metres	Not supported – considered to have an undue impact on the streetscape. Balcony should be conditioned to be setback at least 5 metres from the south/street boundary in event of approval.
Privacy Setbacks: First Floor Balcony	7.5 metres	3.1 metres to east and west boundaries	Not supported- undue impact on affected neighbours, and should be conditioned to comply in event of approval.

Buildings on Boundaries	One boundary wall is permitted with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6% length of boundary.	Two boundary walls proposed. Both walls compliant with height and length requirements.	Not supported - in conjunction with the plot ratio and setback variations proposed, is considered to contribute to excessive bulk and scale and undue impact on amenity of neighbours, streetscape and surrounding area.
Consultation Submissions			
Support (1)	<ul style="list-style-type: none"> • Side setbacks • Buildings on boundaries • John Hyde MLA has shown support for two dwellings and higher plot ratio. 		<p>Not supported - considered to have an undue impact.</p> <p>Not supported - considered to have an undue impact.</p> <p>Not supported - considered to have an undue impact.</p>
Objection (2)	<ul style="list-style-type: none"> • Plot ratio 		Supported – refer to ‘Comments’ section
	<ul style="list-style-type: none"> • The bulk, scale of the north-western face of the proposal. • Side setbacks • Privacy • Overshadowing • Buildings on boundaries 		<p>Supported - refer to ‘Comments’ section</p> <p>Supported – refer to ‘Comments’ section</p> <p>Supported – refer to assessment table</p> <p>Not supported - as proposal is compliant with relevant R Codes requirements.</p> <p>Supported – refer to ‘Comments’ section</p>
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

Demolition

The single storey dwelling at No. 38 Chapman Street, Perth was constructed circa 1908 in the Federation Georgian style of architecture. The Wise Post Office Directories indicate that the dwelling was the first to be constructed along the northern side of Chapman Street.

The dwelling was originally constructed as a modest weatherboard and iron dwelling. However, the weatherboard along the front façade and eastern elevation has been concealed with the application of a thick roughcast render. The original weatherboard along the western elevation has been replaced with red brick and it appears the original front fenestration detail has also been replaced. These significant alterations have reduced the authenticity of the dwelling and its design intent as a Federation Georgian dwelling.

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

In light of the above, whilst the subject dwelling does not meet the threshold for entry onto the Town's Municipal Heritage Inventory, and thus cannot be retained on heritage grounds, due consideration should be given to information detailed in the Norwood Locality Policy to ensure that the character of this area is maintained through appropriate redevelopment of the subject site. It is to be noted that all the original dwellings along the northern side of Chapman Street, have been retained and are all single storey with a consistent setback and bulk. The Norwood Locality Plan Policy states:

"New contemporary developments are encouraged provided that the design responds to the established character. The selected use of elements such as roof pitch, building materials and wall and eaves height can be used to augment the elements of particular importance, building location and orientation. Elsewhere, a range of building form and scale is appropriate, although buildings should be designed to harmonise with existing character."

Redevelopment

The applicant's submission is noted; however, it is considered that the plot ratio variation, building on boundary variation and the setback variation sought results in an overdevelopment of the site and has an undue impact on the neighbouring properties and the amenity and streetscape.

The development will take place on a vacant lot after demolition and the non-compliance with the plot ratio requirements of the Residential Design Codes should not be present, as consideration to a plot ratio variation is considered more appropriate in certain circumstances where an existing house of streetscape or heritage significance is retained. Therefore, in this instance, there is opportunity for the development to comply with the plot ratio requirements.

In light of the above, the proposal is recommended for refusal.

10.1.4 Nos. 324-326 (Lot: 2 D/P: 3538, Lot: 1 D/P: 3538) Fitzgerald Street, Corner Chelmsford Road, North Perth - Proposed Demolition of Consulting Rooms and Construction of Three-Storey Plus Basement Mixed Use Development, Comprising Twelve (12) Multiple Dwellings, Offices, Eating House and Consulting Room (Dentist)

Ward:	South	Date:	21 August 2007
Precinct:	North Perth Centre ; P9	File Ref:	PRO0967; 5.2007.16.1
Attachments:	001		
Reporting Officer(s):	L Mach, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by M. Rodic & Associates Pty Ltd on behalf of the owner D J & M Mitsikas for proposed Demolition of Existing Consulting Rooms and Construction of Three-Storey Plus Basement Mixed Use Development, Comprising Twelve (12) Multiple Dwellings, Offices, Eating House and Consulting Room (Dentist), at Nos. 324-326 (Lot: 2 D/P 3538, Lot: 1 D/P: 3538) Fitzgerald Street, corner Chelmsford Road, North Perth, and as shown on plans stamp-dated 20 August 2007 , subject to the following conditions:

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *a minimum of two (2) appropriate significant design features being incorporated into the south side blank wall of the building;*
 - (b) *the windows to bedroom 1 of the most southern units on the eastern elevation, on the first floor and second floor , being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 154 Vincent Street, stating no objections to the proposed privacy encroachment;*
 - (c) *the northern 'bench seat' adjacent to Fitzgerald Street being deleted from the road widening area unless support/approval from the Department for Planning and Infrastructure and/or Western Australian Planning Commission is obtained. The comments and conditions of the Department for Planning and Infrastructure and/or Western Australian Planning Commission in relation to this matter shall be complied with at the applicants/owners full expense; and*

- (d) *the corner component of the development incorporating design elements to define and accentuate the corner and create a landmark feature without increasing the height or plot ratio of the development.*

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

- (ii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$28,500) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$28,500, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) *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;*
- (v) *first obtaining the consent of the owners of Nos. 154 and 156 Vincent Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 154 and 156 Vincent Street in a good and clean condition;*
- (vi) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (vii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and heavy vehicle access via Fitzgerald Street/Chelmsford Road and the rear right-of-way (ROW), dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*
- (viii) *prior to the first occupation of the development, three (3) class one or two and three (3) class three bicycle parking facilities, shall be provided at a location convenient to the entrance and within the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*

- (ix) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
- (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
- (b) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or shop. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (xi) *prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (xii) *doors, windows and adjacent floor areas of the non-residential component fronting Fitzgerald Street and Chelmsford Road shall maintain an active and interactive relationship with these streets;*
- (xiii) *prior to the first occupation of the development, seventeen (17) car parking spaces, including three (3) visitor car parking spaces, provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling. The visitor car bays shall be clearly marked as such, located close to and clearly signposted or visible from the point of entry to the development and outside any security barrier;*
- (xiv) *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;*
- (xv) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (xvi) *the floor areas of the non-residential component shall be limited to;*
- (a) *104 square metres of public seating area for the eating house component;*
- (b) *343 square metres of gross floor area for the office component; and*

(c) *1 consulting room and practitioner/consultant at any one time.*

Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;

- (xvii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.*
- (xviii) *the car parking area for non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xix) *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;*
- (xx) *the applicant/owner shall pay a cash-in-lieu contribution of \$3,564 for the equivalent value of 1.32 car parking spaces, based on the cost of \$2,700 per bay as set out in the Town's 2007/2008 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (xxi) *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (xxii) *prior to the issue of a Building Licence, a strategy/plan addressing the management of the site in the event that any archaeological information and/or bottles from the previous Claremont Mineral Company Limited activities are found shall be submitted to and approved by the Town. The applicant/owner may wish to consult a qualified archaeologist regarding the potential of the site to yield information and/or bottles from the previous Claremont Mineral Company Limited activities prior to any excavation works on site;*
- (xxiii) *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;*
- (xxiv) *Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xxv) *a bond and/or bank guarantee for \$2,700 for the full upgrade of the right of way shall be lodged prior to the issue of a Building License;*
- (xxvi) *prior to the first occupation of the development, the full length and width of the right of way widening from the southern 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; and*

(xxvii) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$5,535 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.

COUNCIL DECISION ITEM 10.1.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Moved Cr Farrell, Seconded Cr

That the item be DEFERRED for further consideration by the Town's Officers.

The Motion to be DEFERRED lapsed for want of a Seconder.

Debate ensued.

Moved Cr Farrell, Seconded Cr Doran-Wu

That the item be DEFERRED for further investigation.

CARRIED (5-3)

(Cr Torre was an apology for the meeting)

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

(Cr Torre was an apology for the meeting)

Landowner:	D J & M Mitsikas
Applicant:	M. Rodic & Associates Pty Ltd
Zoning:	Metropolitan Region Scheme : Urban Town Planning Scheme No.1 (TPS1): Commercial
Existing Land Use:	Consulting Rooms
Use Class:	Office Building, Consulting Room, Eating House, Multiple Dwelling
Use Classification:	"P", "AA", "P", "AA"
Lot Area:	1775 square metres
Access to Right of Way	Eastern side, 5.0 metres wide, sealed, Town- owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves proposed demolition of consulting rooms and construction of three-storey plus basement mixed use development, comprising of twelve (12) multiple dwellings, offices, eating house and consulting room (dentist).

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	10 dwellings R 60	12 dwellings R 67.6 12.2 per cent density bonus	Supported - no undue impact and variation in this instance can be considered under Clause 20(2)(c) of TPS No.1, which allows consideration of a density bonus of up to 50 per cent where the proposal removes all existing vehicular access to and from a district distributor road (in this instance, Fitzgerald Street).
Plot Ratio	0.7 - 1242.5 square metres	0.702 - 1246 square metres	Supported- no undue impact, minor variation in this instance and can be supported in accordance with the above density bonus.
Landscaping	10 per cent	Not demonstrated	Supported - due to setbacks proposed to the road reserve, any further landscaping to be provided is unlikely to be seen from the street and therefore, ineffective for its main purposes. On this basis, the variation to landscaping is supported on the basis that the applicant is required to contribute to the Town's Percent for Art Scheme, the upgrading of the adjacent footpath, some planting within the car parking area and street furniture has been provided.

Number of Storeys	2 storeys are encouraged, 3 storeys can be considered	3 storeys plus basement	Supported - number of storeys considered acceptable given the site's corner location along a District Distributor Road, building mass has been orientated towards Fitzgerald Street and Chelmsford Road and the adjoining right of way which provides a 'buffer zone' to the residential area. Overall height limit of 12.0 metres is complied with at most areas of the site and building's articulation reduces the perceived bulk of the building.
Car Parking-Commercial	21.32 car bays	20 car bays	Supported - minor variation in this instance and can be supported subject to cash-in -lieu provision.
Car Parking-Residential	23 car bays	17 car bays and 6 reciprocal car bays available in accordance with the R Codes (other car bays associated with eating house are not considered to be available outside business hours)	Supported- no variation.
Setbacks Ground Floor - South (for portion abutting residential lot)	1.2 metres	Nil	Supported - refer to below.
Buildings on Boundary	Maximum of 3.5 metres and average of 3.0 metres	South- portion of wall abutting residential property is 3.6 metres long and 3.7 metres high.	Supported - no undue impact in this instance as portion of wall is only 3.5 metres long.
Consultation Submissions			
The Department for Planning and Infrastructure has advised it has no objections to the proposed development under regional planning grounds, subject to the Town assessing the vehicular access from the right of way.			
Support	Nil		Noted.
Objection (11)	<ul style="list-style-type: none"> • Car Parking 		Not supported- refer to above.

	<ul style="list-style-type: none"> • Height - scale and nature • Traffic congestion • Laneway unsuitable for traffic/access proposed unsuitable • No provision for public open space • Density • Design and development not in keeping with the area 	<p>Not supported- refer to above. Furthermore, it is noted that the height has been substantially reduced from the previously advertised plans.</p> <p>Not supported- refer to 'Comments' section.</p> <p>Not supported- refer to 'Comments' section.</p> <p>Not supported- there is no requirement for public open space.</p> <p>Not supported- refer to above.</p> <p>Not supported - design and development not considered to have an undue impact on area.</p>
	<ul style="list-style-type: none"> • Setback • Privacy • Heritage • Street Trees/Landscaping • Construction Impacts • Visual impact • Noise • Overshadowing 	<p>Not supported- as above; noted plans have been amended since community consultation.</p> <p>Not supported- matter is compliant with relevant requirements and further conditioned. Noted plans have been amended since community consultation .</p> <p>Not supported - refer to 'Comments' section.</p> <p>Not supported- refer to above.</p> <p>Supported - will be addressed at the Building Licence Stage via Construction Management Plan as conditioned in the Officer Recommendation.</p> <p>Not supported - not considered to have an undue visual impact.</p> <p>Not supported- matter is governed by the Environmental Protection (Noise) Regulations 1997.</p> <p>Not supported- matter is compliant with relevant requirements.</p>

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil
Car Parking- Commercial Component	
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> • Consulting Room (1 room) – 3 car bays • Office (343 square metres) – 6.86 car bays • Eating house (104 square metres)- 23.11 car bays 	33 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.95 (within 400 metres of a car park with excess of 25 car parking spaces) • 0.80 (contains mix of uses, with at least 45 per cent of gross floor area being residential) 	(0.646) 21.32 car bays
Minus the car parking provided on-site for commercial component	20 car bays
Minus the most recently approved on-site car parking shortfall	Not applicable as proposal is to redevelop a vacant site.
Resultant shortfall	1.32 car bay
Bicycle Parking Facilities	
<p>Consulting Room</p> <ul style="list-style-type: none"> • 1 space per 8 practitioners for employees (class 2)- Nil • 1 space per 4 practitioners for visitors (class 3)- Nil <p>Office</p> <ul style="list-style-type: none"> • 1 per 200 square metres gross floor area for employees (class 1 or 2)- 1.72 spaces • 1 space per 750 square metres over 1000 square metres for visitors (class 3)- nil <p>Eating House</p> <ul style="list-style-type: none"> • 1 per 100 square metres public area for employees (class 1 or 2)- 1.04 spaces • 2 spaces plus 1 space per 100 square metres public area for visitors (class 3)- 3 spaces 	Plans indicate bicycle parking area; matter has been further conditioned accordingly.

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

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

COMMENTS:

Demolition

A detailed Heritage Assessment for both Nos. 324 and 326 Fitzgerald Street, North Perth is contained within the attachment to this report.

The subject former dwelling at No. 324 Fitzgerald Street, North Perth was built circa 1929 in the Inter-war Bungalow style of architecture and the former dwelling at No.326 Fitzgerald Street was built circa 1930 in the Inter-war Bungalow style with Californian Bungalow influences. Whilst both dwellings were converted in the late 1980's to commercial premises, they still have retained to a large extent the original design intent as Bungalow dwellings. The places are not rare and are considered to be of little aesthetic, historic and social value. The subject buildings contribute to the streetscape in terms of traditional building style, however, in accordance with the Town's Policy relating to Heritage Management – Assessment, they have insufficient cultural heritage significance for entry into the Town's Municipal Heritage Inventory.

Notwithstanding the above, the combined land on which both properties are located has been found to have *some scientific value* as it may have the potential to yield information, through archaeological investigation about the Claremont Mineral Company Limited and reveal bottles associated with the company, which once occupied the subject site in the early twentieth century at least two decades before the construction of the subject extant dwellings. It is acknowledged that the archeological potential may have been diminished with the construction of the subject dwellings.

The physical form of the dwellings did not meet the threshold for inclusion onto the Municipal Heritage Inventory and, therefore, it is recommended that they be approved for demolition as per the Officer Recommendation. However, in acknowledgement of the archaeological potential of the site, it is recommended that prior to the issue of a Building Licence, a strategy/plan addressing the management of the site in the event that any archaeological information and/or bottles from the previous Claremont Mineral Company Limited activities are found should be submitted to and approved by the Town, and that the applicant/owner may wish to consult a qualified archaeologist regarding the potential of the site to yield information and/or bottles from the previous Claremont Mineral Company Limited activities prior to any excavation works on site.

Technical Services

The right of way (ROW) behind Nos.324-326 Fitzgerald Street was purchased by the Town a few years ago, but retains its private status. The subject properties have an implied right of access and, therefore, may use the ROW for primary access to the proposed car parking facilities.

The ROW is 5 metres wide, sealed and drained. The developer will be asked to cede half a metre upon amalgamation of the two lots, so that the ROW can be widened to improve access. A 1.5 metres by 1.5 metres truncation of the new lot at the intersection of the ROW and Chelmsford Road will also be required, and will be calculated from the half metre boundary setback. Both the ROW widening and the truncation should be sealed at the full cost of the developer.

The width and condition of the ROW, following the widening and truncation, is sufficient to service the additional traffic movements that the development will generate.

Summary

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

10.1.2 Further Report - No. 136 (Lot: 96 D/P: 2001) East Parade, East Perth - Proposed Demolition of Existing Single House and Construction of Two (2) Two -Storey Grouped Dwellings and One Two-Storey with Loft Grouped Dwelling

Ward:	South	Date:	17 August 2007
Precinct:	Banks; P15	File Ref:	PRO3624; 5.2006.295.1
Attachments:	001_002		
Reporting Officer(s):	D Pirone, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted on behalf of the owner R Lee, C G Mulroy and Y F Lee for proposed Demolition of Existing Single House and Construction of Two (2) Two -Storey Grouped Dwellings and One Two-Storey with Loft Grouped Dwelling, at No. 136 (Lot: 96 D/P: 2001) East Parade, East Perth, and as shown on revised plans stamp-dated 17 July 2007, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the East Parade boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*

- (f) *the solid portion adjacent to the East Parade boundary from the above truncation(s), can increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence.*

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

- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *the height of the boundary/parapet wall of unit 1 on the southern elevation being reduced to a maximum of 3 metres;*
 - (b) *the balcony of the loft floor of unit 1 being deleted from the proposal; and*
 - (c) *the building external wall height being reduced to a maximum of 6 metres above natural ground level.*

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

- (iv) *first obtaining the consent of the owners of No. 132 East Parade for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 132 East Parade in a good and clean condition;*
- (v) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the East Parade 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);*
- (vi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (vii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (viii) *prior to the issue of a Building Licence, the applicant shall submit to the Town written support/approval of the Department for Planning and Infrastructure and/or Western Australian Planning Commission for the development, and demonstrate compliance with its comments and conditions at the applicant(s)/owner(s)' full expense;*

- (ix) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
- (a) *for Unit 1:*
- (1) *the balcony to the lounge/games room on the northern, southern and western elevations; and*
 - (2) *the balcony to bedroom 2 on the northern, southern and eastern elevations;*
- (b) *for Unit 2:*
- (1) *the balcony to bedroom 1 on the southern and eastern elevations; and*
 - (2) *the balcony to bedroom 2 on the southern elevation; and*
- (c) *for Unit 3:*
- (1) *the balcony to bedroom 1 on the northern and eastern elevations; and*
 - (2) *the balcony to bedroom 2 on the northern elevation;*

within the 7.5 metre cone of vision to the boundaries, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 132 and 140 East Parade and No. 45 Joel Terrace, respectively, stating no objections to the proposed privacy encroachment.

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

- (x) *prior to the first occupation of the development, the full length and width of the right of way from Westralia Road to the southern 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;*
- (xi) *a bond and/or bank guarantee for \$14,500 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (xii) *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; and*
- (xiii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained.*

Note: *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.*

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.01pm.

AMENDMENT:

Moved Cr Maier, Seconded Cr Lake

That clause (iii)(b) be deleted.

Debate ensued.

Amended at Council
Meeting dated
11 September 2007

AMENDMENT PUT AND LOST (2-5)

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

(Cr Torre was an apology for the meeting. Cr Messina was absent from the Chamber.)

Cr Messina returned to the Chamber at 7.02pm.

Debate ensued.

COUNCIL DECISION ITEM 10.1.2

Moved Cr Farrell, Seconded Cr Doran-Wu

That the item be DEFERRED for further consideration.

MOTION TO DEFER PUT AND CARRIED (5-3)

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

(Cr Torre was an apology for the meeting)

FURTHER REPORT:

The Council considered the application at its Ordinary Meeting held on 26 June 2007 and resolved as follows:

“That the Item be DEFERRED at the request of the applicant also to allow the Town’s officers to investigate the various issues raised during Public Question Time.”

Subsequent to the item being deferred at the above Ordinary Meeting of Council, a meeting was held on 6 July 2007 between the Town's Officers, the applicant and one of the affected neighbours at No. 132 East Parade, East Perth to discuss the concerns the affected neighbour had with the proposed development considered at the Ordinary Meeting of Council held on 26 June 2007. The applicant has submitted revised plans and a written submission dated 17 July 2007 to address the matters raised at the above meeting with the Town's Officers and also issues raised at the Ordinary Meeting of Council held on 26 June 2007. The applicant's further submission is "*Laid on the Table*".

The main amendments to unit 1 are as follows:

- the first floor has been setback 2.04 metres from the southern boundary;
- the loft has been redesigned to be contained within the roof space;
- the overshadowing plan has been revised and is proposed at 47.89 percent, which is still compliant with the requirements of the Residential Design Codes;
- the proposed unit encompasses only one laundry and one store, therefore, it is not considered as an ancillary accommodation as previously proposed;
- a car bay has been removed adjacent to the right of way and replaced with landscaping;
- Units 2 and 3 remain the same as per the original plans; and
- the windows to the habitable rooms on the northern, southern and western elevations of the first floor have been amended to reflect highlight windows, above 1.6 metres from the finished floor level.

The southern adjoining land owner at No. 132 East Parade, East Perth, viewed the amended plans on 8 August 2007, and still has issues and concerns regarding the overshadowing, the boundary wall of unit 1 on the southern elevation and all proposed variations to building wall setbacks. The landowner has acknowledged that whilst some of the setback revisions in the amended plans slightly lessen the impact of the proposed development on the southern property, the scale and the overall "development philosophy" is still not acceptable and the original objections still stands.

Further Assessment

Non-Compliant Requirements			
Requirements	Required	Proposed	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density:	3.44 dwellings at R60	3 dwellings at R48.38	Supported – no variation.
Plot Ratio: Unit 1	0.65 110.32 square metres	0.62 105.23 square metres	Supported – no variation.
Unit 2	0.65 96.09 square metres	0.51 73.39 square metres	Supported – no variation.
Unit 3	0.65 79.42 square metres	0.58 70.87 square metres	Supported – no variation.

Minimum Lot Size: Lot 2/Unit 2	160 square metres	147.83 square metres	Supported – the development complies with the R60 average lot size/density, open space and plot ratio requirements.
Lot 3/Unit 3	160 square metres	122.19 square metres	Supported – the development complies with the R60 average lot size/density, open space and plot ratio requirements.
Setbacks: Unit 1- Ground Floor			
South	1.5 metres	Nil	Supported – the boundary/parapet wall is not considered to have an undue impact on the neighbouring property and it complies with the length requirements of building on boundary.
Upper Floor South	2.1 metres	1.09 metres – 1.2 metres – 2 metres – 4.5 metres <u>Amended plans reflect setback of 2.04 metres</u>	Supported – not considered to have an undue impact on adjoining property.
North	1.5 metres	1.2 metres – 2.9 metres – 3.5 metres	Supported – not considered to have an undue impact on adjoining property.
Loft Floor South	3.3 metres	2.3 metres	Not supported – considered to have an undue impact on neighbouring property. Condition the loft to be deleted from the proposal. <u>Supported in part – as the balcony of the loft is not contained entirely within the roof space. Condition applied to delete the balcony of the loft from the proposal.</u>
Unit 2- Ground Floor South	1.5 metres	1.2 metres – 3 metres – 4.2 metres	Supported – not considered to have an undue impact on adjoining property.
Upper Floor			

West Parade)	(East	6 metres	4.2 metres to planter and dividing wall, and 5.06 metres to the balcony	Supported – not considered to have an undue impact on the streetscape and the amenity of the area.
South		2.1 metres	1.2 metres – 2.3 metres	Supported – not considered to have an undue impact on adjoining property.
Unit 3 Upper Floor West Parade)	(East	6 metres	4.2 metres to planter and dividing wall, and 5.06 metres to the balcony	Supported – not considered to have an undue impact on the streetscape and the amenity of the area.
North		2.0 metres	1.2 metres – 2.3 metres	Supported – not considered to have an undue impact on adjoining property.
Building on Boundary: Unit 1		Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	One boundary/parapet wall proposed South Wall Height – 3.1 metres – 3.2 metres (average wall height is 3.15 metres). Wall length is compliant.	Supported in part – the wall length is compliant, therefore, not considered to have an undue impact on neighbouring properties provided the height of the wall is conditioned to be a maximum of 3 metres above natural ground level.
Street Walls and Fences		Fence to be 50 per cent visually permeable above 1.2 metres.	Details are not indicated on plans.	Not supported – condition all proposed street walls and fences to comply with the Town's Policy relating to Street Walls and Fences.
Outdoor Living Area Units 2 and 3		To be provided behind the front setback.	Provided within the front setback.	Supported – not considered to have an undue impact on the streetscape and the amenity of the area.
Driveway: Minimum width		4 metres	3.2 metres	Supported – the Town's Technical Services Officers have assessed and supported this variation

<p>Building Wall Height: Unit 1- Loft/ <u>Third</u> Storey North</p> <p><u>South</u></p>	<p><u>6 metres</u></p> <p><u>6 metres</u></p>	<p><u>8.2 metres</u></p> <p><u>6.3 metres</u></p>	<p>Not supported – considered to have an undue impact on the streetscape and the amenity of the area. Condition applied for the loft to be deleted from the proposal and the building wall height to be reduced to a maximum of 6 metres.</p> <p><u>Not supported – undue impact on the streetscape and amenity of the area, and condition applied to reduce the building wall height to a maximum of 6 metres above natural ground level.</u></p>
<p>Town’s Policy relating to Ancillary Accommodation: Unit 1</p>	<p>Where the ancillary accommodation structure is to be attached to the existing dwelling, direct internal access between the main dwelling and the ancillary accommodation structure is to be provided.</p>	<p>No direct internal access provided.</p>	<p>Not supported – condition the lift to be openable from the kitchen or dining room as well as the lobby, therefore direct internal access is provided.</p> <p><u>The amended plans reflect the removal of the ancillary accommodation as only one laundry and store has been provided. Due to this, the parking bay adjacent to the right of way has also been removed.</u></p>

Summary

In light of the above, the previous Officer Recommendation and assessment has been altered to reflect the amended plans. The revised plans do not propose any other further variation to the Residential Design Codes and the Town’s Policies, and is considered not to have an undue impact on the adjoining landowner and the amenity of the area, and as such there is no need to further re-advertise the proposal. On the above basis, it is recommended that the Council approve the application, subject to standard and appropriate conditions to address the above matters as outlined in the Further Officer Recommendation.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 26 June 2007.

“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 J Casella Designers on behalf of the owner R Lee, C G Mulroy and Y F Lee for proposed Demolition of Existing Single House and Construction of Two (2) Two -Storey Grouped Dwellings and One Two-Storey with Loft Grouped Dwelling and Associated Ancillary Accommodation, at No. 136 (LOT: 96 D/P: 2001) East Parade, East Perth, and as shown on plans stamp-dated 7 March 2007, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the East Parade boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
 - (f) the solid portion adjacent to East Parade boundary from the above truncation(s), can increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence.*

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

- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the height of the boundary/parapet wall of unit 1 on the southern elevation being reduced to a maximum of 3 metres;*
 - (b) *the loft floor of unit 1 being deleted from the proposal;*
 - (c) *the building external wall height being reduced to a maximum of 6 metres above natural ground level;*
 - (d) *the lift of unit 1 being directly accessible from the kitchen or dining room on the ground floor; and*
 - (e) *the opening between the kitchen and the laundry of unit 1 having a door, which when closed shall completely fill the opening.*

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

- (iv) *first obtaining the consent of the owners of No. 132 East Parade for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 132 East Parade in a good and clean condition;*
- (v) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the East Parade 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);*
- (vi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (vii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (viii) *prior to the issue of a Building Licence, a Section 70A Transfer of Land Act 1893 Notification being registered against the Certificate of Title for the land advising proprietors or prospective proprietors of the existence of the following conditions which affect the use or enjoyment of the ancillary accommodation structure on the land:*
 - (a) *the ancillary accommodation structure shall only be occupied by a member or members of the family of the occupier of the main dwelling;*
 - (b) *the ancillary accommodation structure shall not be used or rented out as a separate dwelling to the main building;*

- (c) *the person or persons for whom the ancillary accommodation structure is to be constructed, is for use by that person or persons and shall be used for no other purposes or by other persons; and*
- (d) *the ancillary accommodation structure shall not be occupied by any more than two (2) occupiers at any one time.*

This notification shall be prepared and registered by the Town's solicitors or other solicitors agreed upon by the Town at the cost of the applicant/owner;

- (ix) *prior to the issue of a Building Licence, the applicant shall submit to the Town written support/approval of the Department for Planning and Infrastructure and/or Western Australian Planning Commission for the development, and demonstrate compliance with its comments and conditions at the applicant(s)/owner(s)' full expense; and*
- (x) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the balcony to the family room and bedroom 1 on the northern, southern and eastern elevations of unit 1, the balcony to the lounge room on the northern, southern and western elevations of unit 1, the windows to the dining room and lounge room on the western elevation of the first floor of unit 1, the windows to the lounge room on the northern elevation of the first floor of unit 1, the balcony to bedroom 1 on the southern and eastern elevations of unit 2, the balcony to bedroom 2 on the southern elevation of unit 2, the balcony to bedroom 1 on the northern and eastern elevations of unit 3, and the balcony to bedroom 2 on the northern elevation of unit 3 being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 132 and 140 East Parade stating no objection to the respective proposed privacy encroachments.*

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

- (xi) *Prior to the first occupation of the development, the full length and width of the right of way from Westralia Road to the Southern 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;*
- (xii) *A bond and/or bank guarantee for \$14500 for the full upgrade of the right of way shall be lodged prior to the issue of a Building License; and*
- (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 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.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Torre , Seconded Cr Farrell

That the recommendation be DEFERRED at the request of the applicant and also to allow the Town's officers to investigate the various issues raised during Public Question Time.

MOTION PUT AND CARRIED (7-2)

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

Landowner:	R Lee, C G Mulroy and Y F Lee
Applicant:	Anthony J Casella Designers
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	620 square metres
Access to Right of Way	East side, 4 metres wide, unsealed, Town owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing single house and the construction of the two, two storey grouped dwellings and one, two storey with loft grouped dwelling and associated ancillary accommodation.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density:	3.44 dwellings at R60	3 dwellings at R48.38	Supported – no variation.
Plot Ratio: Unit 1	0.65 110.32 square metres	0.62 105.23 square metres	Supported – no variation.
Unit 2	0.65 96.09 square metres	0.51 73.39 square metres	Supported – no variation.

<i>Unit 3</i>	<i>0.65 79.42 square metres</i>	<i>0.58 70.87 square metres</i>	<i>Supported – no variation.</i>
<i>Minimum Lot Size: Lot 2/Unit 2</i>	<i>160 square metres</i>	<i>147.83 square metres</i>	<i>Supported – the development complies with the R60 average lot size/density, open space and plot ratio requirements.</i>
<i>Lot 3/Unit 3</i>	<i>160 square metres</i>	<i>122.19 square metres</i>	<i>Supported – the development complies with the R60 average lot size/density, open space and plot ratio requirements.</i>
<i>Setbacks: Unit 1- Ground Floor South</i>	<i>1.5 metres</i>	<i>Nil</i>	<i>Supported – the boundary/parapet wall is not considered to have an undue impact on the neighbouring property and it complies with the length requirements of building on boundary.</i>
<i>Upper Floor South</i>	<i>2.1 metres</i>	<i>1.09 metres – 1.2 metres – 2 metres – 2.2 metres – 4.5 metres</i>	<i>Supported – not considered to have an undue impact on adjoining property.</i>
<i>North</i>	<i>1.5 metres</i>	<i>1.2 metres – 2.9 metres – 3.5 metres</i>	<i>Supported – not considered to have an undue impact on adjoining property.</i>
<i>Loft Floor South</i>	<i>3.3 metres</i>	<i>2.3 metres</i>	<i>Not supported – considered to have an undue impact on neighbouring property. Condition the loft to be deleted from the proposal.</i>
<i>Unit 2- Ground Floor South</i>	<i>1.5 metres</i>	<i>1.2 metres – 3 metres – 4.2 metres</i>	<i>Supported – not considered to have an undue impact on adjoining property.</i>
<i>Upper Floor West (East Parade)</i>	<i>6 metres</i>	<i>4.2 metres to planter and dividing wall, and 5.06 metres to the balcony</i>	<i>Supported – not considered to have an undue impact on the streetscape and the amenity of the area.</i>

South	2.1 metres	1.2 metres – 2.3 metres	Supported – not considered to have an undue impact on adjoining property.
Unit 3 Upper Floor West (East Parade)	6 metres	4.2 metres to planter and dividing wall, and 5.06 metres to the balcony	Supported – not considered to have an undue impact on the streetscape and the amenity of the area.
North	2.0 metres	1.2 metres – 2.3 metres	Supported – not considered to have an undue impact on adjoining property.
Building on Boundary: Unit 1	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the boundary behind the front setback, to one side boundary.	One boundary/parapet walls proposed South Wall Height – 3.1 metres – 3.2 metres (average wall height is 3.15 metres). Wall length is compliant.	Supported in part – the wall length are compliant therefore not considered to have an undue impact on neighbouring properties provided the height of the wall is conditioned to be a maximum of 3 metres above natural ground level.
Street Walls and Fences	Fence to be 50 per cent visually permeable above 1.2 metres.	Details are not indicated on plans.	Not supported – condition all proposed street walls and fences to comply with the Town’s Policy relating to Street Walls and Fences.
Outdoor Living Area Units 2 and 3	To be provided behind the front setback.	Provided within the front setback.	Supported – not considered to have an undue impact on the streetscape and the amenity of the area.
Driveway: Minimum width	4 metres	3.2 metres	Supported – The Town’s Technical Services Officers have assessed and supported this variation
Building Wall Height: Unit 1- Loft/ Third Storey			

<i>North</i>	<i>6 metres</i>	<i>8.2 metres</i>	<i>Not supported – considered to have an undue impact on the streetscape and the amenity of the area. Condition applied for the loft to be deleted from the proposal and the building wall height to be reduced to a maximum of 6 metres.</i>
<i>Town's Policy relating to Ancillary Accommodation:</i>			
<i>Unit 1</i>	<i>Where the ancillary accommodation structure is to be attached to the existing dwelling, direct internal access between the main dwelling and the ancillary accommodation structure is to be provided.</i>	<i>No direct internal access provided.</i>	<i>Not supported – condition the lift to be openable from the kitchen or dining room as well as the lobby, therefore direct internal access is provided.</i>
<i>Consultation Submissions</i>			
<i>Support</i>	<i>Nil</i>	<i>Noted</i>	
<i>Objection (2)</i>	<ul style="list-style-type: none"> <i>A three dwelling development will create more people living along East Parade, therefore limited verge parking for visitors</i> 	<ul style="list-style-type: none"> <i>Not supported – the development complies with the parking requirements of the Residential Design Codes and the Town's Policies.</i> 	
	<ul style="list-style-type: none"> <i>Concerns that there are too many non-compliant requirements.</i> 	<ul style="list-style-type: none"> <i>Not supported – the Town has the discretion to consider variations to the R Codes as per clause 1.3.3 of the R Codes.</i> 	
	<ul style="list-style-type: none"> <i>The development should not rely on the right of way for vehicular access.</i> 	<ul style="list-style-type: none"> <i>Not supported – the Town's policy relating to Vehicular Access states that if the property has legal access to a right of way then this shall be utilised for all access of vehicles.</i> 	
	<ul style="list-style-type: none"> <i>Concerns of privacy regarding the upper floor balconies and windows.</i> 	<ul style="list-style-type: none"> <i>Not supported – all windows and balconies that are located 0.5 metre above natural ground level have been appropriately screened.</i> 	

	<ul style="list-style-type: none"> The construction of the dwellings (for example, trucks) shall not cause an impact on the amenity of the street. 	<ul style="list-style-type: none"> Not supported – this is a civil matter between the land owner and the surrounding neighbours.
	<ul style="list-style-type: none"> Objection to the minimum site area for Units 2 and 3. 	<ul style="list-style-type: none"> Not supported – the development complies with the R60 average site area/density, open space and plot ratio requirements.
	<ul style="list-style-type: none"> The plot ratio is non-compliant. 	<ul style="list-style-type: none"> Not supported – the plot ratio complies with the requirements of the Residential Design Codes.
	<ul style="list-style-type: none"> The boundary wall on the southern elevation. 	<ul style="list-style-type: none"> Supported in part – the wall length are compliant therefore not considered to have an undue impact on neighbouring properties provided the height of the wall is conditioned to be a maximum of 3 metres above natural ground level.
	<ul style="list-style-type: none"> The variation of the setback of the ground floor and upper floor of unit 2 on the southern boundary. 	<ul style="list-style-type: none"> Not supported – not considered to have an undue impact on adjoining property.
	<ul style="list-style-type: none"> The building wall height of 8.2 metres. 	<ul style="list-style-type: none"> Supported – condition of approval applied that the loft be deleted from the proposal and the building wall height be reduced to a maximum of 6 metres from natural ground level.
	<ul style="list-style-type: none"> The overshadowing onto the northern neighbouring property. 	<ul style="list-style-type: none"> Not supported – the overshadowing complies with the requirements of the Residential Design Codes.
	<ul style="list-style-type: none"> The outdoor living area of units 2 and 3 being located in the front setback. 	<ul style="list-style-type: none"> Not supported – not considered to have an undue impact on the streetscape and the amenity of the area.
	<ul style="list-style-type: none"> The driveway with a reduced width of 3.2 metres is reflective of the excessive scale of the development. 	<ul style="list-style-type: none"> Not supported – the Town’s Technical Services Officers have assessed and supported this variation and the development is compliant in terms of plot ratio.

	<ul style="list-style-type: none"> Unit 1 is classed as a multiple dwelling not a unit with an ancillary accommodation structure. 	<ul style="list-style-type: none"> Not supported – the ancillary accommodation will comply with the Town’s Policy relating to Ancillary Accommodation provided that conditions are applied that the lift be accessible from the kitchen or dining room on the ground floor and a Section 70A notification is registered.
	<ul style="list-style-type: none"> The third storey/loft is totally out of character with the existing two and mostly single storey character of the streetscape and is a contributing factor to excessive height of the proposed dwelling. 	<ul style="list-style-type: none"> Supported – a third storey is not permitted in the Banks Locality. Condition applied that the loft be deleted from the proposal.
<i>Other Implications</i>		
<i>Legal/Policy</i>	<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>	
<i>Strategic Implications</i>	<i>Nil</i>	
<i>Financial/Budget Implications</i>	<i>Nil</i>	

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

COMMENTS:

The application was sent to the Department for Planning and Infrastructure on 28 June 2006 for their comments and recommendation as East Parade is classed as a Primary Regional Road in the Metropolitan Region Scheme. No response was received from the Commission.

The plans submitted for approval show insufficient details of screening and therefore this matter has been conditioned accordingly.

Heritage:

A detailed Heritage Assessment is contained in Appendix 10.1.

The subject dwelling at No. 136 (Lot 96) East Parade, Mount Lawley is a single storey timber and iron residence, which was constructed circa 1906 in the Federation Georgian style of architecture as part of the East Norwood Estate. The dwelling follows a common standard four-roomed plan, with central hallway, rear skillion and front verandah extending the length of the facade. Internally much of the original features and fittings remain intact, however externally the dwelling has been altered. Such alterations include the replacement of the original roof and verandah, removal of the chimneys and replacement of the original verandah floor and window detail.

The majority of the properties along East Parade, including the subject place, are considered to have some degree of significance in terms of local heritage, as they are representative of the Federation style of architecture and as they formed part of the East Norwood Estate, which was development circa 1900 through to the First World War. However, it is considered that the historic and representative values identified are common elements of most original building stock in the Town and are not unique to the subject buildings to warrant inclusion on the Town's Municipal Heritage Inventory (MHI).

As a weatherboard dwelling the place has some rarity value as it represents a building material that is no longer widely used in the construction of residential buildings in Perth. However, in considering the comparable thresholds for including properties on the Town's MHI resultant from the recent MHI review, it is considered that the application should be recommended for approval, subject to archival to a quality archival record and other standard demolition conditions.

Summary:

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

10.1.1 Further Report - No. 53 (Lot 62 D/P: 692) Barlee Street, Mount Lawley - Proposed Demolition of Existing Single House and Construction of Two (2) Two- Storey Single Houses

Ward:	South	Date:	20 August 2007
Precinct:	Forrest; P14	File Ref:	PRO3828; 5.2006.580.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by P N Christou on behalf of the owner Perret Holdings Pty Ltd and Camfam Pty Ltd for proposed Demolition of Existing Single House and Construction of Two (2) Two- Storey Single Houses, at No. 53 (Lot 62 D/P: 692) Barlee Street, Mount Lawley, and as shown on plans stamp-dated 1 December 2006 (existing house plan) and 14 August 2007 (site plan, floor plans, elevation plans and overshadowing plan), subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) first obtaining the consent of the owners of Nos. 49 and 57 Barlee Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 49 and 57 Barlee Street in a good and clean condition;*
- (iii) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (iv) 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;*
- (v) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the first floor balcony of Houses 1 and 2 being setback a minimum of 5 metres from the northern (Barlee Street) property boundary.*

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

- (vi) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Barlee Street boundary and the main building (except the bin stores indicated on the plans), including along the side boundaries within this front setback area, complying with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*

- (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
- (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

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

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Lake, Seconded Cr Ker

That clause (vii) be amended as follows:

- "(vii) *a detailed landscaping plan, including a list of plants and the landscaping ~~and reticulation~~ of the Barlee Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);"*

AMENDMENT PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause (v) be deleted.

CARRIED (5-3)

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

(Cr Torre was an apology for the meeting)

MOTION AS AMENDED PUT AND CARRIED (8-0)

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 P N Christou on behalf of the owner Perret Holdings Pty Ltd and Camfam Pty Ltd for proposed Demolition of Existing Single House and Construction of Two (2) Two- Storey Single Houses, at No. 53 (Lot 62 D/P: 692) Barlee Street, Mount Lawley, and as shown on plans stamp-dated 1 December 2006 (existing house plan) and 14 August 2007 (site plan, floor plans, elevation plans and overshadowing plan), subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) first obtaining the consent of the owners of Nos. 49 and 57 Barlee Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 49 and 57 Barlee Street in a good and clean condition;*
- (iii) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (iv) 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;*
- (v) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Barlee Street boundary and the main building (except the bin stores indicated on the plans), including along the side boundaries within this front setback area, complying with the following:*

- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
- (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
- (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

- (vi) *a detailed landscaping plan, including a list of plants and the landscaping of the Barlee Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (vii) *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.*

FURTHER REPORT:

The Council considered the application at its Ordinary Meeting held on 24 July 2007 and resolved as follows:

“That the Item be DEFERRED for further investigation and to address the matters of concern raised during public question time, including boundary setbacks, use of boundary walls, potential for structural damage.”

Subsequent to the item being deferred at the above Ordinary Meeting of Council, a meeting was held on 9 August 2007 between the Town's Officers, the applicant and the owners to discuss the variations proposed, as well as the conditions contained in the Officer Recommendation. The applicant has submitted revised plans and a written submission dated 14 August 2007 to generally address the matters raised at the above meeting with the Town's Officers and also issues raised at the Ordinary Meeting of Council held on 24 July 2007.

The main amendments to the proposal are as follows:

- The privacy screens and highlight windows have been amended to reflect a minimum height of 1.6 metres and illustrated to be translucent, fixed and non-openable.
- The amended plans illustrate screening along the east and west boundary fences in front of courtyards of house 1 and 2.
- The roof pitch has been reduced to a maximum of 9 metres above natural ground level.
- The dividing wall on the ground floor has been setback 4 metres from the North (Barlee Street) elevation.
- The dividing wall on the upper floor has been deleted from the proposal.

Further Assessment

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2.6 dwellings R50	2 dwellings R42.28	Noted - no variation.
Plot Ratio	N/A	N/A	Noted.
Building Setbacks: Ground-North (Barlee Street) Main Dwelling	4 metres	6 metres to the main dwelling; however, 3.7 metres to dividing wall.	Supported in part as the dividing wall is considered to have an undue impact on the streetscape and is addressed in the Officer Recommendation. <i>The amended plans illustrate the dividing wall to be setback 4 metres.</i>
East -Living - Laundry	1.5 metres	1.5 metres - 1.2 metres - 3 metres - 1.5 metres - 3 metres	Supported – as the variation is considered minor and does not have an undue impact on affected neighbours.
West -Living to Laundry	1.5 metres	1.5 metres - 1.2 metres - 3.1 metres - 1.5 metres - 3.1 metres	Supported – as the variation is considered minor, to not have an undue impact on affected neighbour and affected neighbour has stated no objection.

First Floor- North (Barlee Street) -Balcony	6 metres	4.5 metres	Not supported – as considered to have an undue impact on the streetscape and is addressed in the Officer Recommendation. Condition applied to setback the balcony 5 metres from the Northern boundary.
Main Dwelling	6 metres	6 metres to main dwelling; however, 3.8 metres to dividing wall.	Not supported as the dividing wall is considered to have an undue impact on the streetscape and is addressed in the Officer Recommendation. <i>The amended plans reflect the dividing wall being deleted from the proposal</i>
East	2.7 metres	2 metres - 1.2 metres - 0.8 metre - 1.2 metres - 3 metres	Supported – as not considered to have an undue impact on affected neighbours as ‘privacy screens’ have been recommended to be fixed obscure glazing, which would be less imposing on the affected neighbours.
West	2.7 metres	2 metres - 1.2 metres - 0.9 metre - 1.2 metres - 3.1 metres	Supported – as above.
Street walls and fences: North- Houses 1 and 2 -	Not to exceed a maximum height of 1.8 metres above the adjacent footpath level. The solid portion of the wall or fence excepting piers is to be a maximum height of 1.2 metres above	Bin enclosures 1.2 metres wide and solid to 2 metres high.	Supported - not considered to have an undue impact on affected neighbours for the following reasons: <ul style="list-style-type: none"> • Incorporates design features such as glass blocks and planters above; • Provides screening for bins;

	the adjacent footpath level. The pillars not to exceed 350 mm wide.		<ul style="list-style-type: none"> • Bins stores are only 1.2 metres wide and 2 metres high; and • Remaining portion of fence consists of planter boxes and open bars which has minimal impact on the streetscape and counter balances the impact of the bin stores.
East- House 1	As above.	Solid wall from 1.8 metres - 1.9 metres within the front setback.	Not supported - considered to have an undue impact on the streetscape and has been addressed in the Officer Recommendation. <i>The solid wall shown on the plans is the parapet wall on the neighbouring boundary.</i>
West- House 2	As above.	Solid wall from 1.5 metres - 1.9 metres within the front setback.	Not supported - as considered to have an undue impact on the streetscape and has been addressed in the Officer Recommendation.
Outdoor Living Area: House 1	Located behind the front setback area.	Located within the front setback.	Supported - as not considered to have an undue impact on the streetscape or surrounding amenity.
House 2	Located behind the front setback area.	Located within the front setback.	Supported - as above.
Building Height: Roof Pitch Height	9 metres	9.05 metres - 9.3 metres (the pitch highest point of the roof located in the middle of the two dwellings)	Not supported - as considered to have an undue impact on the streetscape and affected neighbours and has been addressed in the Officer Recommendation. <i>The amended plans reflect the building height being a maximum of 9 metres above natural ground level.</i>

<p>Privacy Setbacks: Ground Floor- North House 1 -Courtyard</p>	7.5 metres	0.5 metre to eastern property boundary.	Not supported as considered to have an undue impact on affected neighbour and addressed in the 'Officer Recommendation'.
<p>House 2 -Courtyard</p>	7.5 metres	0.5 metre to western property boundary.	Not supported as above.
<p>East House 1 -Courtyard</p>	7.5 metres	0.4 metre to eastern property boundary.	Not supported as above.
<p>West House 2 -Courtyard</p>	7.5 metres	0.4 metre to western property boundary.	Not supported as above.
<p>South House 1 -Courtyard</p>	7.5 metres	0.5 metre to eastern property boundary.	Not supported as above.
<p>House 2 -Courtyard</p>	7.5 metres	0.5 metre to western property boundary.	Not supported as above.
<p>First Floor- North House 1 -Balcony to bedroom 3</p>	7.5 metres	1.9 metres to east property boundary.	Not supported as above.
<p>House 2 -Balcony to bedroom 3</p>	7.5 metres	2 metres to west property boundary.	Not supported as above.
<p>East House 1 -Balcony to master bedroom</p>	7.5 metres	2 metres to eastern property boundary.	Not supported as above.
<p>-Balcony to bedroom 3</p>	7.5 metres	1.2 metres to eastern property boundary.	Not supported as above.

Balcony to bedroom 4	7.5 metres	1.2 metres to eastern property boundary.	Not supported as above.
Balcony to Bedroom2/study	7.5 metres	1.2 metres to eastern property boundary.	Not supported as above.
West House 2			
Balcony to master bedroom	7.5 metres	2 metres to western property boundary.	Not supported as above.
Balcony to bedroom 3	7.5 metres	1.5 metres to western property boundary.	Not supported as above.
Balcony to bedroom 4	7.5 metres	1.5 metres to western property boundary.	Not supported as above.
Balcony to bedroom 2/study	7.5 metres	1.5 metres to western property boundary.	Not supported as above.
South House 1			
Bedroom 2/study balcony	7.5 metres	2.1 metres to eastern property boundary.	Not supported as above.
Balcony to bedroom 4	7.5 metres	2 metres to eastern property boundary.	Not supported as above.
Unit 2			
Bedroom 2/study balcony	7.5 metres	2.3 metres to western property boundary.	Not supported as above.
Balcony to bedroom 4	7.5 metres	4.2 metres to western property boundary.	Not supported as above. <i>The amended plans reflect the privacy screens and highlight windows, being a minimum height of 1.6 metres and illustrated to be translucent, fixed and non-openable.</i>

Damage Impact on Neighbouring Properties

The concerns raised by a public member during Public Question Time at the Ordinary Meeting of Council held on 24 July 2007 mainly relate to the use of existing boundary walls and potential structural damage by construction, filling and compaction works on adjacent properties. These matters are of a civil nature to be resolved by the owners of the subject and adjacent properties.

Summary

The applicant has taken into the consideration the variations and the conditions placed on the previous Officer Recommendation that was considered at the Ordinary Meeting of Council held on 24 July 2007, and submitted amended plans to generally address the variations and conditions. In light of the above, the proposal is recommended for approval, subject to standard and appropriate conditions to address the above matters, as detailed in the Further Officer Recommendation.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 24 July 2007.

“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 P N Christou on behalf of the owner Perret Holdings Pty Ltd and Camfam Pty Ltd for proposed Demolition of Existing Single House and Construction of Two (2) Two- Storey Single Houses, at No. 53 (Lot 62 D/P: 692) Barlee Street, Mount Lawley, and as shown on plans stamp-dated 1 December 2006 (existing house plan) and 19 February 2007 (site plan, floor plans, elevation plans and overshadowing plan), subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) first obtaining the consent of the owners of Nos. 49 and 57 Barlee Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 49 and 57 Barlee Street in a good and clean condition;*
- (iii) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (iv) 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;*
- (v) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the ground floor dividing wall of Houses 1 and 2, the first floor balcony of Houses 1 and 2 and the first floor dividing wall of Houses 1 and 2 being setback a minimum of 4 metres, 5 metres and 6 metres respectively from the northern (Barlee Street) property boundary;*

- (b) *the 'privacy screen' attached to the first floor on the eastern elevation of House 1 and the western elevation of House 2 that extends for 7 metres in length adjacent to the balcony to bedroom 2/study, the stairs and the balcony to bedroom 3 being fixed obscure glazing and be non-openable to a minimum of 1.6 metres above the finished first floor level. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 49 and 57 Barlee Street stating no objection to the respective proposed privacy encroachments;*
- (c) *the maximum height to the top of the roof pitch of Houses 1 and 2 being 9 metres above the natural ground level;*
- (d) *the courtyard to House 1 on the northern, eastern and southern elevations, the courtyard to House 2 on the northern, western and southern elevations, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the finished floor levels of the courtyards to Houses 1 and 2 being no greater than 0.5 metre above the natural ground level; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating a screen fence being a minimum of 1.6 metres above natural ground level along the eastern and southern property boundary. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 49 and 57 Barlee Street stating no objection to the respective proposed privacy encroachments;*
- (e) *the balcony to the master bedroom to House 1 on the eastern elevation, the balcony to the master bedroom to House 2 on the western elevation, the balcony to bedroom 4 to House 1 on the eastern and southern elevations, the balcony to bedroom 4 to House 2 on the western and southern elevations, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 49 and 57 Barlee Street stating no objection to the respective proposed privacy encroachments.*

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

- (vi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Barlee Street boundary and the main building (except the bin stores indicated on the plans), including along the side boundaries within this front setback area, complying with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*

- (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

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

Moved Cr Farrell, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause (v)(a) be deleted.

Debate ensued.

AMENDMENT PUT AND LOST ON THE
CASTING VOTE OF THE PRESIDING MEMBER (5-4)

For

Cr Chester

Cr Ker

Cr Lake

Cr Maier

Against

Mayor Catania (2 votes: - Deliberative and casting vote)

Cr Doran-Wu

Cr Farrell

Cr Messina

(Cr Torre on approved leave of absence.)

Debate ensued.

Moved Cr Farrell, Seconded Cr Doran-Wu

That the Item be DEFERRED for further investigation and to address the matters of concern raised during public question time, including boundary setbacks, use of boundary walls, potential for structural damage to adjoining properties, height of sand pad and compaction.

CARRIED (5-3)

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

(Cr Torre on approved leave of absence.)

<i>Landowner:</i>	<i>Perret Holdings Pty Ltd and Camfam Pty Ltd</i>
<i>Applicant:</i>	<i>P N Christou</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R50</i>
<i>Existing Land Use:</i>	<i>Single House</i>
<i>Use Class:</i>	<i>Single House</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>473 square metres</i>
<i>Access to Right of Way</i>	<i>South side, 3.02 metres wide, sealed, Town owned</i>

BACKGROUND:

21 November 2006 The freehold subdivision of the subject property was granted conditional approval by the Western Australian Planning Commission.

DETAILS:

The proposal involves demolition of existing single house and construction of two (2) two-storey single houses at the subject property.

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

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Density</i>	<i>2.6 dwellings R50</i>	<i>2 dwellings R42.28</i>	<i>Noted - no variation.</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>Noted.</i>
<i>Building Setbacks: Ground-North</i>			

<p>-Main Dwelling</p> <p>East</p> <p>-Living - Laundry</p>	<p>4 metres</p> <p>1.5 metres</p>	<p>6 metres to the main dwelling; however, 3.7 metres to dividing wall.</p> <p>1.5 metres - 1.2 metres - 3 metres - 1.5 metres - 3 metres</p>	<p>Supported in part – as the dividing wall is considered to have an undue impact on the streetscape and is addressed in the Officer Recommendation.</p> <p>Supported – as the variation is considered minor and does not have an undue impact on affected neighbours.</p>
<p>West</p> <p>-Living to Laundry</p> <p>First Floor-North (Barlee Street)</p> <p>-Balcony</p>	<p>1.5 metres</p> <p>6 metres</p>	<p>1.5 metres - 1.2 metres - 3.1 metres - 1.5 metres - 3.1 metres</p> <p>4.5 metres</p>	<p>Supported – as the variation is considered minor, to not have an undue impact on affected neighbour and affected neighbour has stated no objection.</p> <p>Not supported – as considered to have an undue impact on the streetscape and is addressed in the Officer Recommendation.</p>
<p>-Main Dwelling</p> <p>East</p> <p>West</p>	<p>6 metres</p> <p>2.7 metres</p> <p>2.7 metres</p>	<p>6 metres to main dwelling; however, 3.8 metres to dividing wall.</p> <p>2 metres - 1.2 metres - 0.8 metre - 1.2 metres - 3 metres</p> <p>2 metres - 1.2 metres - 0.9 metre - 1.2 metres - 3.1 metres</p>	<p>Not supported – as the dividing wall is considered to have an undue impact on the streetscape and is addressed in the Officer Recommendation.</p> <p>Supported – as not considered to have an undue impact on affected neighbours as ‘privacy screens’ have been recommended to be fixed obscure glazing, which would be less imposing on the affected neighbours.</p> <p>Supported – as above.</p>

<p><i>Street walls and fences: North- Houses 1 and 2 -</i></p>	<p><i>Not to exceed a maximum height of 1.8 metres above the adjacent footpath level. The solid portion of the wall or fence excepting piers is to be a maximum height of 1.2 metres above the adjacent footpath level. The pillars not to exceed 350 mm wide.</i></p>	<p><i>Bin enclosures 1.2 metres wide and solid to 2 metres high.</i></p>	<p><i>Supported - not considered to have an undue impact on affected neighbours for the following reasons:</i></p> <ul style="list-style-type: none"> <i>• Incorporates design features such as glass blocks and planters above;</i> <i>• Provides screening for bins;</i> <i>• Bins stores are only 1.2 metres wide and 2 metres high; and</i> <i>• Remaining portion of fence consists of planter boxes and open bars which has minimal impact on the streetscape and counter balances the impact of the bin stores.</i>
<p><i>East- House 1</i></p>	<p><i>As above.</i></p>	<p><i>Solid wall from 1.8 metres - 1.9 metres within the front setback.</i></p>	<p><i>Not supported – considered to have an undue impact on the streetscape and has been addressed in the Officer Recommendation.</i></p>
<p><i>West- House 2</i></p>	<p><i>As above.</i></p>	<p><i>Solid wall from 1.5 metres - 1.9 metres within the front setback.</i></p>	<p><i>Not supported – as considered to have an undue impact on the streetscape and has been addressed in the Officer Recommendation.</i></p>
<p><i>Outdoor Living Area: House 1</i></p>	<p><i>Located behind the front setback area.</i></p>	<p><i>Located within the front setback.</i></p>	<p><i>Supported – as not considered to have an undue impact on the streetscape or surrounding amenity.</i></p>
<p><i>House 2</i></p>	<p><i>Located behind the</i></p>	<p><i>Located within the</i></p>	<p><i>Supported – as above.</i></p>

	<i>front setback area.</i>	<i>front setback.</i>	
<i>Building Height: Roof Pitch Height</i>	<i>9 metres</i>	<i>9.05 metres - 9.3 metres (the pitch - highest point of the roof located in the middle of the two dwellings)</i>	<i>Not supported – as considered to have an undue impact on the streetscape and affected neighbours and has been addressed in the Officer Recommendation.</i>
<i>Privacy Setbacks: Ground Floor- North House 1 -Courtyard</i>	<i>7.5 metres</i>	<i>0.5 metre to eastern property boundary.</i>	<i>Not supported – as considered to have an undue impact on affected neighbour and addressed in the ‘Officer Recommendation’.</i>
<i>House 2 -Courtyard</i>	<i>7.5 metres</i>	<i>0.5 metre to western property boundary.</i>	<i>Not supported – as above.</i>
<i>East House 1 -Courtyard</i>	<i>7.5 metres</i>	<i>0.4 metre to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>West House 2 - Courtyard</i>	<i>7.5 metres</i>	<i>0.4 metre to western property boundary.</i>	<i>Not supported – as above.</i>
<i>South House 1 -Courtyard</i>	<i>7.5 metres</i>	<i>0.5 metre to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>House 2 -Courtyard</i>	<i>7.5 metres</i>	<i>0.5 metre to western property boundary.</i>	<i>Not supported – as above.</i>
<i>First Floor- North House 1 -Balcony to bedroom 3</i>	<i>7.5 metres</i>	<i>1.9 metres to east property boundary.</i>	<i>Not supported – as above.</i>
<i>House 2 -Balcony to bedroom 3</i>	<i>7.5 metres</i>	<i>2 metres to west property boundary.</i>	<i>Not supported – as above.</i>
<i>East</i>			

<i>House 1</i>			
<i>-Balcony to master bedroom</i>	<i>7.5 metres</i>	<i>2 metres to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 3</i>	<i>7.5 metres</i>	<i>1.2 metres to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 4</i>	<i>7.5 metres</i>	<i>1.2 metres to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to Bedroom2/study</i>	<i>7.5 metres</i>	<i>1.2 metres to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>West House 2</i>			
<i>-Balcony to master bedroom</i>	<i>7.5 metres</i>	<i>2 metres to western property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 3</i>	<i>7.5 metres</i>	<i>1.5 metres to western property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 4</i>	<i>7.5 metres</i>	<i>1.5 metres to western property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 2/study</i>	<i>7.5 metres</i>	<i>1.5 metres to western property boundary.</i>	<i>Not supported – as above.</i>
<i>South House 1</i>			
<i>-Bedroom 2/study balcony</i>	<i>7.5 metres</i>	<i>2.1 metres to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 4</i>	<i>7.5 metres</i>	<i>2 metres to eastern property boundary.</i>	<i>Not supported – as above.</i>
<i>Unit 2</i>			
<i>-Bedroom 2/study balcony</i>	<i>7.5 metres</i>	<i>2.3 metres to western property boundary.</i>	<i>Not supported – as above.</i>
<i>-Balcony to bedroom 4</i>	<i>7.5 metres</i>	<i>4.2 metres to western property boundary.</i>	<i>Not supported – as above.</i>
<i>Consultation Submissions</i>			
<i>Support (2)</i>	<ul style="list-style-type: none"> • <i>No objection.</i> 		<i>Noted.</i>
<i>Objections (3)</i>	<ul style="list-style-type: none"> • <i>Overlooking.</i> 		<i>Supported – and addressed above and in the Officer Recommendation.</i>
	<ul style="list-style-type: none"> • <i>Building Height.</i> 		<i>Supported – and addressed above and in the Officer</i>

		<i>Recommendation.</i>
	<ul style="list-style-type: none"> • <i>Fill may create structural damage to existing boundary and garage walls.</i> 	<i>Noted – as damage to boundary walls is a civil matter.</i>
	<ul style="list-style-type: none"> • <i>Concern regarding the compaction and the impact this may have on the existing boundary wall.</i> 	<i>Noted – as damage to boundary walls is a civil matter.</i>
	<ul style="list-style-type: none"> • <i>Concern regarding the location of waste pipes and air conditioning units.</i> 	<i>Noted – as the location of waste pipes is not a planning consideration and no air conditioning units have been proposed.</i>
<i>Other Implications</i>		
<i>Legal/Policy</i>		<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>
<i>Strategic Implications</i>		<i>Nil</i>
<i>Financial/Budget Implications</i>		<i>Nil</i>

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

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

COMMENTS:

Demolition

The subject existing brick and iron dwelling was constructed circa 1900 in the Federation Georgian style of architecture. Barlee Street was part of the Highgate Hill Estate, which was one of the first suburbs located north of Perth. This estate was aimed at the working class market. The subdivision accommodated the rise in Perth's population due to the Gold Boom. The place first appears in the Wise Post Office Directories in 1899 and is listed with Mr J Rowlands as the occupant. Mr Rowlands lived at the subject place until 1945. The Sawrbricks resided in the place from 1947 to at least 1981.

The dwelling has had numerous changes over the years. The Metropolitan Sewerage Map Plans indicate that the place originally comprised two front rooms constructed from brick with a rear timber skillion addition. The timber skillion addition has since been removed and replaced with a brick alternative. The front façade has been rendered and an enclosed verandah has been constructed along its length.

The dwelling is situated along the portion of Barlee Street between Roy and Gerald Streets in Mount Lawley, which consists of a variety of dwellings dating from the Federation period to the Late Twentieth Century styles of architecture. It is considered that this portion of the streetscape is fragmented and that the subject dwelling is not an essential component of it.

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

Summary

The applicant has requested that the proposal be considered by the Council at its Ordinary Meeting in spite of a significant number of variations. However, the great number of privacy variations is a result of unclear plans, showing little detail of the materials proposed for the privacy screens. The proposal, if appropriately conditioned, is not considered to have an undue impact on the streetscape, adjoining neighbours or surrounding amenity.

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

10.1.3 No. 21 (Lot: 17 D/P: 3002) Waugh Street, Corner Magnolia Street, North Perth - Proposed Two-Storey Single Bedroom Dwelling to Existing Single House

Ward:	North	Date:	21 August 2007
Precinct:	North Perth; P8	File Ref:	PRO2270; 5.2007.145.1
Attachments:	001_002		
Reporting Officer(s):	D Pirone, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Greg Rowe & Associates on behalf of the owner D Fleming & P Whitmore for proposed Two-Storey Single Bedroom Dwelling to Existing Single House, at No. 21 (Lot: 17 D/P: 3002) Waugh Street, corner Magnolia Street, North Perth, and as shown on plans stamped 12 June 2007, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate between the Waugh Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) *the provision of a minimum 1.36 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. ; and a minimum 2.0 metres by 2.0 metres truncation at the corner of the lot between the existing right of way and Shakespeare Street. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;"*

(iii) prior to the issue of a Building Licence for the single bedroom dwelling, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the single bedroom dwelling that:

- (a) a maximum of one (1) bedroom and two (2) occupants are permitted in the single bedroom dwelling at any one time;*
- (b) the floor plan layout of the single bedroom dwelling shall be maintained in accordance with the Planning Approval plans; and*
- (c) the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential unit/dwelling. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

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

- (a) the driveway of the proposed single bedroom dwelling being a maximum width of 4.68 metres;*
- (b) a minimum of two (2) on-site parking bays being provided for the existing dwelling;*
- (c) a minimum of two (2) appropriate significant design features being incorporated into the western vehicular door of the garage of the proposed single bedroom dwelling;*
- (d) a lockable storage area with a minimum internal dimension of 1.5 metres and minimum internal area of 4 square metres being provided for both dwellings;*
- (e) compliance with the Building Code of Australia requirements, including those relating to weather proofing for a habitable room, energy efficiency and structural engineering integrity; and*
- (f) a visual truncation of 1.36 metres by 1.5 metres being provided at the intersection of the footpath and crossovers.*

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

(v) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Waugh Street and Magnolia Street verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

(vi) prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other

solicitors agreed upon by the Town for the conservation of the existing dwelling. All costs associated with this condition shall be borne by the applicant/owner(s); and

- (vii) *the street verge tree(s) on Waugh Street and Magnolia 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.*

Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.

Moved Cr Farrell, Seconded Cr Ker

That the corrected Officer Recommendation be adopted, together with an amended Clause (v) as follows:

- "(v) *a detailed landscaping plan, including a list of plants and the landscaping ~~and reticulation~~ of the Waugh Street and Magnolia Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);"*

Amended at Council
Meeting dated
11 September 2007

Debate ensued.

MOTION PUT AND CARRIED (8-0)

The Presiding Member requested that the Town's Administration use the new wording for conditions relating to a landscaping plan for future reports.

COUNCIL DECISION ITEM 10.1.3

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 Greg Rowe & Associates on behalf of the owner D Fleming & P Whitmore for proposed Two-Storey Single Bedroom Dwelling to Existing Single House, at No. 21 (Lot: 17 D/P: 3002) Waugh Street, corner Magnolia Street, North Perth, and as shown on plans stamped 12 June 2007, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*

- (ii) any new street/front wall, fence and gate between the Waugh Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) the provision of a minimum 1.36 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iii) prior to the issue of a Building Licence for the single bedroom dwelling, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the single bedroom dwelling that:*
- (a) a maximum of one (1) bedroom and two (2) occupants are permitted in the single bedroom dwelling at any one time;*
 - (b) the floor plan layout of the single bedroom dwelling shall be maintained in accordance with the Planning Approval plans; and*
 - (c) the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential unit/dwelling. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the single bedroom dwelling;*
- (iv) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) the driveway of the proposed single bedroom dwelling being a maximum width of 4.68 metres;*
 - (b) a minimum of two (2) on-site parking bays being provided for the existing dwelling;*

- (c) *a minimum of two (2) appropriate significant design features being incorporated into the western vehicular door of the garage of the proposed single bedroom dwelling;*
- (d) *a lockable storage area with a minimum internal dimension of 1.5 metres and minimum internal area of 4 square metres being provided for both dwellings;*
- (e) *compliance with the Building Code of Australia requirements, including those relating to weather proofing for a habitable room, energy efficiency and structural engineering integrity; and*
- (f) *a visual truncation of 1.36 metres by 1.5 metres being provided at the intersection of the footpath and crossovers.*

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

- (v) *a detailed landscaping plan, including a list of plants and the landscaping of the Waugh Street and Magnolia Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vi) *prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town for the conservation of the existing dwelling. All costs associated with this condition shall be borne by the applicant/owner(s); and*
- (vii) *the street verge tree(s) on Waugh Street and Magnolia 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.*

Landowner:	D Fleming & P Whitmore
Applicant:	Greg Rowe & Associates
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Single House
Use Class:	Single Bedroom Dwelling
Use Classification:	"P"
Lot Area:	491 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

8 April 2003: The Council at its Ordinary Meeting refused an application for alterations and additions of mezzanine floor to approved free-standing garage/studio structure and retrospective patio to the existing single house.

DETAILS:

The proposal involves alterations to and changing the use of an existing garage to accommodate a single bedroom dwelling.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2.23 dwellings at R 40 (R40 applied as existing dwelling is to be retained)	1 multi-bedroom dwelling and 1 single bedroom dwelling. Proposed density is R 33.9.	Supported – no variation at R40. The Town's Heritage Officers consider that the existing dwelling is worthy of retention as it has value in the evolution of the locality.
Plot Ratio	N/A	N/A	Noted
Plot Ratio for Single Bedroom Dwelling	60 square metres	47.1 square metres	Supported – no variation
Setbacks: Ground Floor- West (Magnolia Street)	6 metres or behind the front main building wall line.	1.24 metres – 1.46 metres	Supported – the building frame exists and is considered to have less of an impact on the streetscape than the existing structure.
Garage	3 metres	1.24 metres – 1.46 metres	Supported – the building frame exists and is considered to have less of an impact on the streetscape than the existing structure.
South	1.5 metres	0.67 metre – 0.85 metre	Supported – the building frame exists and is not considered to have an undue impact on neighbouring property and no objections were received.
East	1 metre	0.45 metre – 0.57 metre	Supported – the building frame exists and is not considered to have an undue impact on neighbouring property and no objections were received.

Upper Floor- West (Magnolia Street) Balcony	6 metres	1.17 – 1.29 metres	Supported – the building frame exists and is considered to have less of an impact on the streetscape than the existing structure.
Main Dwelling	6 metres	3.8 metres – 5.5 metres	Supported – the building frame exists and is considered to have less of an impact on the streetscape than the existing structure.
South	1.5 metres	0.67 metre – 0.85 metre	Supported – the building frame exists and is not considered to have an undue impact on neighbouring property and no objections were received.
East	1.1 metres	0.45 metre – 0.57 metre	Supported – the building frame exists and is not considered to have an undue impact on neighbouring property and no objections were received.
Vehicular Access	Driveways are not to occupy more than 40 per cent of the frontage.	57.26 per cent	Not supported – considered to have an undue impact on the amenity of the area. Condition applied to reduce the driveway to a maximum width of 4.68 metres (40 per cent of the width of the frontage).
Car Parking	Two spaces required for each dwelling.	No bays proposed for existing house.	Not supported – considered to have an undue impact on the amenity of the area. Condition applied for the provision of two (2) on-site parking bays for the existing dwelling.
Essential Facilities	An enclosed, lockable storage area, constructed in a design and material matching the dwelling, with a minimum	No store rooms provided.	Not supported – considered to have an undue impact on the amenity of the area. Condition applied to require amended plans to reflect a storage area for each dwelling.

	dimension of 1.5 metres with an internal area of at least 4 square metres, for each Grouped or Multiple Dwelling.		
Consultation Submissions			
Support	Nil		Noted.
Objection	Nil		Noted.
Other Implications			
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications		Nil	
Financial/Budget Implications		Nil	

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

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

COMMENTS:

Heritage:

The Wise Post Office Directories indicate that the dwelling at No.21 Waugh Street, North Perth was constructed circa 1915 in the Federation Bungalow style of architecture. Whilst there have been some external alterations to its original fabric, the place appears to maintain its original intent and presentation as a Federation Bungalow. The place is not currently listed on the Town of Vincent's Municipal Heritage Inventory.

The section of Waugh Street, where the subject place is located, is dominated by Federation Bungalows with comparable traditional setbacks, scale and proportion. The Knutsford Locality Plan No.18 states '*the retention and/or restoration of existing housing contributing to the historic character of the area will be encouraged.*' The Town's Heritage Officers consider that the subject place is worthy of retention, as it has value in the evolution of the locality and is indicative of the type of dwellings that were constructed in the Town of Vincent during the Federation period, contributing to the character of the area.

Summary:

Currently the existing structure is a two storey garage facing Magnolia Street. The proposal to alter and change the use of the garage to accommodate a single bedroom dwelling will lessen the visual impact on the existing streetscape and the amenity of the area as the proposed single bedroom dwelling will be more interactive with the street.

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

10.1.8 Amendment No. 46 to Planning and Building Policies – Draft Policy Relating to Single Bedroom Dwellings

Ward:	Both Wards	Date:	21 August 2007
Precinct:	All Precincts	File Ref:	PLA0185
Attachments:	001		
Reporting Officer(s):	A Fox, B McKean		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the Draft Policy relating to Single Bedroom Dwellings, as shown in Attachment 10.1.8;
- (ii) **ADOPTS** the Draft Policy relating to Single Bedroom Dwellings in the interim until the formal adoption of the Draft Policy, subject to the Policy being amended as follows:
 - (a) *clause 3) Floor Area be amended to read as follows:*

'Clause 4.1.3 of the Residential Design Codes specifies that the plot ratio floor area for a single bedroom dwelling is limited for to 60 square metres....'
- (iii) **ADVERTISES** the Draft Policy relating to Single Bedroom Dwellings for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:
 - (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission; and*
- (iv) *after the expiry of the period for submissions:*
 - (a) **REVIEWS** the Draft Policy relating to Single Bedroom Dwellings, having regard to any written submissions; and
 - (b) **DETERMINES** the Draft Policy relating to Single Bedroom Dwellings, with or without amendment, to or not to proceed with them.

Note: *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.*

Moved Cr Farrell, Seconded Cr Ker

That the corrected Officer Recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Chester, Seconded Cr Ker

That the following amendment be adopted.

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

(ii) *ADOPTS the Draft Policy relating to Single Bedroom Dwellings in the interim until the formal adoption of the Draft Policy, subject to the Policy being amended as follows:*

(a) *clause 1) Background be amended to read as follows;*

'...

It is recognised that housing of this nature ~~generally result in~~ have less building bulk, and a lower population density per dwelling, therefore does not generate the same demands for car parking, stores and balconies, as two or more bedroom dwellings.'; and

(b) *a new clause 6) Void be added as follows*

'6) VOID

A single bedroom dwelling is not to incorporate any void areas unless the applicant clearly demonstrates to the satisfaction of the Town of Vincent that the void area is not capable of conversion into a bedroom, and the void does not contribute to the dwelling having an appearance of a dwelling that comprises two or more bedrooms.'

Debate ensued.

Cr Lake requested that the amendment to Clause (b) – VOID – be amended by adding the words “and the void does not add to the bulk of the building and” after the word “not” in line 4.

The Mover, Cr Chester, and Seconder, Cr Ker, agreed to this change.

The Presiding Member ruled that he would consider the amendment in two parts.

Debate ensued.

CLAUSE (ii)(a) WAS PUT AND CARRIED (5-3)

For

Mayor Catania
Cr Chester
Cr Farrell
Cr Lake
Cr Messina

Against

Cr Doran-Wu
Cr Ker
Cr Maier

(Cr Torre was an apology for the meeting)

CLAUSE (ii)(b) WAS PUT AND CARRIED (7-1)

For

Cr Chester
Cr Cr Maier
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Lake
Cr Messina

Against

Mayor Catania

Amended at Council
Meeting dated
11 September 2007

(Cr Torre was an apology for the meeting)

To correct grammar, the word "have" was changed to "has" in clause (ii)(a).

AMENDMENT

Moved Cr Maier, **Seconded** Cr Ker

That the following amendment be adopted.

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

(ii) ***ADOPTS the Draft Policy relating to Single Bedroom Dwellings in the interim until the formal adoption of the Draft Policy, subject to the Policy being amended as follows:***

(a) *clause 2) Site Area be amended to read as follows:*

‘...
iii)

a maximum of one (1) bedroom and two (2) adult occupiers are permitted in the dwelling at any one time; and

...

The Town of Vincent will consider a total density bonus ~~of between 50 per cent and 60 per cent~~ of up to 60 per cent in relation to the minimum site area requirements for the respective density code under the Residential Design Codes for single bedroom dwellings, provided the following criteria are met to the satisfaction of the Town of Vincent:

...
ii)

prior to the consideration of a density bonus ~~of between 50 per cent and 60 per cent~~ greater than 50 per cent a Heritage Impact Statement is to be undertaken by the Town of Vincent Officers to measure the impact of the proposed development on the existing heritage listed place; and...’.

Cr Doran-Wu asked that it be voted upon separately and the Presiding Member ruled that this would occur.

Debate Ensued.

CLAUSE (ii) (a) WAS PUT AND LOST

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

(Cr Torre was an apology for the meeting)

CLAUSE (ii) (a) (ii) WAS PUT AND CARRIED (7-1)

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

(Cr Torre was an apology for the meeting)

AMENDMENT

Moved Cr Chester , Seconded Cr Maier that a new clause be added as follows:

“the development display a high level of quality and design standards, such as good quality building materials, horizontal and vertical articulation of the building, articulation of the street façade and building bulk, height, setbacks and roof forms to complement existing streetscapes.”

AMENDMENT PUT AND CARRIED (7-1)

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

(Cr Torre was an apology for the meeting)

COUNCIL DECISION ITEM 10.1.8

Moved Cr Chester, Seconded Cr Farrell

That the item be DEFERRED and all amendments voted upon and carried in tonight's meeting be included in the draft document and this be reported to Council for further consideration.

MOTION TO DEFER PUT AND CARRIED (5-3)

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

(Cr Torre was an apology for the meeting)

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Policy relating to Single Bedroom Dwellings and to seek the Council's approval to advertise the Draft Policy.

BACKGROUND:

23 January 2007 The Council at its Ordinary Meeting considered Item 10.1.8 relating to the draft Residential Design Policy. The Council resolved to adopt the following action:

“(ii) (i) *new policies relating to:*

(1) *Subdivisions; and*

(2) *Single Bedroom Dwellings;*

independent but inherently linked to the draft Residential Design Elements be prepared and that a report and draft policy be referred to the Council no later than April 2007;”

DETAILS:

In light of clause (ii) (i) (2) of the above Council Resolution of the Ordinary Meeting of Council held on 23 January 2007, the Town's Officers have prepared a Draft Policy relating to Single Bedroom Dwellings.

The objectives of the Draft Policy states as follows:

- “1) *To provide clear policy direction on the requirements for single bedroom dwellings within the Town of Vincent.*
- 2) *To ensure a high level of appearance and amenity of single bedroom dwellings.*
- 3) *To provide appropriate forms of housing for one or two person households, while still encouraging the conservation and enhancement of those places which contribute to the heritage value of the Town of Vincent.”*

The Draft Policy addresses various matters relating to Single Bedroom Dwellings, with specific attention to site area, floor area, car parking, store rooms and balconies.

CONSULTATION/ADVERTISING:

Any new or rescinded or amended Planning Policy is required to be advertised for public comment in accordance with Clause 47 of the Town's Town Planning Scheme No. 1.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 – Strategic Objective: Natural and Built Environment

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

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENTS:

The Draft Policy relating to Single Bedroom Dwellings has been prepared to mainly provide applicants and developers with a set of concise guidelines and requirements for establishing Single Bedroom Dwellings within the Town. It is intended that this Policy will give a clear definition of a '*Single Bedroom Dwelling*', address the requirements for Single Bedroom Dwellings under the Residential Design Codes (R Codes) and outline in what instances the Council will consider a variation to the R Codes.

In light of the above, it is recommended that the Council receives, adopts in the interim and advertises the Draft Policy in accordance with the Officer Recommendation.

10.1.9 Western Australian Local Government Association (WALGA) InfoPage - Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal

Ward:	Both Wards	Date:	21 August 2007
Precinct:	All Precincts	File Ref:	ORG0081
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES this report relating to the Western Australian Local Government Association(WALGA) InfoPage - Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal; and*
- (ii) *ADVISES the Western Australian Local Government Association (WALGA) and the Western Australian State Government Standing Committee on Legislation of the following comments in relation to the Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal:*
 - (a) *the Town acknowledges that the SAT is considered a more efficient one stop agency performing the role in resolving disputes, questions, and complaints and making review decisions in most instances in a fair and just manner based on individual merits of the matter;*
 - (b) *the Town acknowledges that the review processes are less formal, however, is of the opinion that that not all cases are less expensive for all parties, as cost in defending review applications can be expensive if legal practitioners and private consultants are involved in the process;*
 - (c) *the Town is of the opinion that most decisions are dealt with in an appropriate and timely manner;*
 - (d) *the Town acknowledges that the process has improved public accountability and transparency; and*
 - (e) *the Town requests that the SAT review its processes and practice notes relating to the Development and Resources and Commercial and Civil Streams to address the following areas:*
 - (1) *to ensure adequate timeframes are given to parties to make appropriate response as required, say a minimum of 2 weeks for general matters and for a longer time frame of 6 weeks for other matters that are required to be advertised and then referred to Council for consideration;*
 - (2) *better co-ordination between the Development and Resources and Commercial and Civil Streams with regard to responsibility of determination of matters;*
 - (3) *wider usage of telephone conferences in directions hearings;*

-
- (4) *principles and practice notes when dealing with applications for retrospective approvals;*
- (5) *practice notes for dealing with review matters relating to works and development outside the lot boundaries, such as within road reserves and the like for the benefit of all parties involved; and*
- (6) *practice notes dealing with plans that are substantially altered from the original plans determined by the responsible authority and whether these plans constitute the lodgement of a new planning application with payment of appropriate fees for further determination or are part of the existing review application.*
-

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Lake

That the following new clauses (ii)(e) (7) and (ii) (e) (8) be added:

- “(ii)(e) (7) *the SAT Members in their consideration of matters give appropriate acknowledgement of Council Policies and adequate substantiation to their decision to depart from those policies; and*
- (ii) (e) (8) *inconsistencies in determinations handed down by single SAT Member decisions;”*

AMENDMENT PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

AMENDMENT

Moved Cr Doran-Wu, Seconded Cr Messina

That the following new clause (ii)(e)(9) be added:

- “(ii)(e)(9) *that a limit of one appeal affecting a particular property is considered at any one time;”*

AMENDMENT PUT AND CARRIED (7-1)

For
Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Lake
Cr Messina

Against
Cr Maier

(Cr Torre was an apology for the meeting)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

COUNCIL DECISION ITEM 10.1.9

That the Council;

- (i) *RECEIVES this report relating to the Western Australian Local Government Association(WALGA) InfoPage - Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal; and*
- (ii) *ADVISES the Western Australian Local Government Association (WALGA) and the Western Australian State Government Standing Committee on Legislation of the following comments in relation to the Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal:*
 - (a) *the Town acknowledges that the SAT is considered a more efficient one stop agency performing the role in resolving disputes, questions, and complaints and making review decisions in most instances in a fair and just manner based on individual merits of the matter;*
 - (b) *the Town acknowledges that the review processes are less formal, however, is of the opinion that that not all cases are less expensive for all parties, as cost in defending review applications can be expensive if legal practitioners and private consultants are involved in the process;*
 - (c) *the Town is of the opinion that most decisions are dealt with in an appropriate and timely manner;*
 - (d) *the Town acknowledges that the process has improved public accountability and transparency; and*
 - (e) *the Town requests that the SAT review its processes and practice notes relating to the Development and Resources and Commercial and Civil Streams to address the following areas:*
 - (1) *to ensure adequate timeframes are given to parties to make appropriate response as required, say a minimum of 2 weeks for general matters and for a longer time frame of 6 weeks for other matters that are required to be advertised and then referred to Council for consideration;*
 - (2) *better co-ordination between the Development and Resources and Commercial and Civil Streams with regard to responsibility of determination of matters;*
 - (3) *wider usage of telephone conferences in directions hearings;*
 - (4) *principles and practice notes when dealing with applications for retrospective approvals;*

- (5) *practice notes for dealing with review matters relating to works and development outside the lot boundaries, such as within road reserves and the like for the benefit of all parties involved;*
- (6) *practice notes dealing with plans that are substantially altered from the original plans determined by the responsible authority and whether these plans constitute the lodgement of a new planning application with payment of appropriate fees for further determination or are part of the existing review application;*
- (7) *the SAT Members in their consideration of matters give appropriate acknowledgement of Council Policies and adequate substantiation to their decision to depart from those policies;*
- (8) *inconsistencies in determinations handed down by single SAT Member decisions; and*
- (9) *that a limit of one appeal affecting a particular property is considered at any one time.*

PURPOSE OF REPORT:

To respond to the Western Australian Local Government Association information paper dated 10 August 2007 (attached), entitled "*Inquiry into the jurisdiction and operation of the State Administrative Tribunal.*"

BACKGROUND:

- | | |
|------------------|--|
| 11 November 2004 | State Administrative Tribunal Act (WA) was promulgated. |
| 1 January 2005 | State Administrative Tribunal was established. |
| 24 August 2007 | Due date for submissions to be provided to WALGA. |
| 31 August 2007 | Due date for all submissions relating to the " <i>Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal</i> " to be submitted to the Western Australian State Government Standing Committee on Legislation. |

DETAILS:

The Western Australian Local Government Association (WALGA) is seeking feedback from local governments by 24 August 2007, in relation to Section 173 of the State Administrative Tribunal Act 2004, which provides that "*As soon as practical after the end of the period of 2 years [that period ended on 1 January 2007] an enquiry into the jurisdiction and operation of the Tribunal is to be conducted.*". The Legislative Council (WA) has now referred this inquiry to the Standing Committee on Legislation.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

State Administrative Tribunal Act 2004 (WA), State Administrative Tribunal Regulations 2004, State Administrative Tribunal Rules 2004 and the Town's Policy 4.1.23 Procedure for State Administrative Tribunal.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

There are 4 main Streams within the State Administrative Tribunal (SAT), which are Development Resources (DR), Commercial and Civil (CC), Human Rights (HR) and Vocational Regulation (VR). The Town is one of the many local governments in Western Australia having to deal with numerous review applications lodged with the SAT on a constant basis. The most common Streams involving the Town are in Development Resources (DR) and the Commercial and Civil (CC), mainly in relation to Planning and Building Applications and Written Directions/Notices. The Town's response to the above matter has been prepared taking into consideration the "dot points" in WALGA's InfoPage dated 10 August 2007, and is as follows:

- (a) the Town acknowledges that the SAT is considered a more efficient one stop agency performing the role in resolving disputes, questions, and complaints and making review decisions in most instances in a fair and just manner based on individual merits of the matter;
- (b) the Town acknowledges that the review processes are less formal, however, is of the opinion that not all cases are less expensive for all parties, as cost in defending review applications can be expensive if legal practitioners and private consultants are involved in the process;
- (c) the Town is of the opinion that most decisions are dealt with in an appropriate and timely manner;
- (d) the Town acknowledges that the process has improved public accountability and transparency; and
- (e) the Town requests that the SAT review its processes and practice notes relating to the Development and Resources and Commercial and Civil Streams to address the following areas:
 - (1) to ensure adequate timeframes are given to parties to make appropriate response as required, say a minimum of 2 weeks for general matters and for a longer time frame of 6 weeks for other matters that are required to be advertised and then referred to Council for consideration;
 - (2) better co-ordination between the Development and Resources and Commercial and Civil Streams with regard to responsibility of determination of matters;

- (3) wider usage of telephone conferences in directions hearings;
- (4) principles and practice notes when dealing with applications for retrospective approvals;
- (5) practice notes for dealing with review matters relating to works and development outside the lot boundaries, such as within road reserves and the like for the benefit of all parties involved; and
- (6) practice notes dealing with plans that are substantially altered from the original plans determined by the responsible authority and whether these plans constitute the lodgement of a new planning application with payment of appropriate fees for further determination or are part of the existing review application.

Overall, the formation of the SAT, its Act, Regulations and Rules are considered as a positive step in dealing with the various review matters and is considered to have satisfied most of the intended objectives of the jurisdiction and operation of the SAT.

Due to the short time frame for responses to WALGA (being 24 August 2007), the Town's Officers will forward the above response to WALGA in the interim. However, any additional matters raised at the Ordinary Meeting of Council held on 28 August 2007 will be forwarded directly to the Committee Clerk, Standing Committee on Legislation, Legislative Council by 31 August 2007.

10.2.1 Waste Management Update - Progress Report No 2 – Approval to Conduct a Survey Concerning Recycling

Ward:	Both	Date:	17 January 2007
Precinct:	All	File Ref:	TEN0250
Attachments:	001 ; 002		
Reporting Officer(s):	R Lotznicker, J Lockley		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Waste Management Progress Report No 2 as at 21 August 2007;*
- (ii) *APPROVES the "Waste Management Strategy and Recycling Survey" as shown in Appendix 10.2.1;*
- (iii) *AUTHORISES the Chief Executive Officer to conduct a survey of ratepayers in the Town allowing them twenty-one (21) days in which to respond to the survey; and*
- (iv) *RECEIVES a further progress report once the survey has been completed and the results have been assessed.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Lake, Seconded Cr Maier

That the survey form be amended by swapping the order of (ii)(b) and (ii)(a).

Debate ensued.

AMENDMENT PUT AND LOST (2-6)

For

Cr Lake
Cr Maier

Against

Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Messina

(Cr Torre was an apology for the meeting)

Debate ensued.

AMENDMENT

Moved Cr Messina, Seconded Cr Doran-Wu

That the Survey Form be amended by removing "\$100 / year" from the brochure and changing the words to "How much would you be prepared to pay for an improved recycling service?"

AMENDMENT PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

AMENDMENT

Moved Cr Messina, Seconded Cr Doran-Wu

That the Survey Form be amended to read as follows:

"What amount are you willing to pay for a one-off payment for a new recycling bin?"

Nil \$25 \$50 \$75"

Debate ensued.

**AMENDMENT PUT AND CARRIED
ON THE CASTING VOTE OF THE PRESIDING MEMBER (5-4)**

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Farrell
(deliberative & casting vote)	Cr Ker
Cr Chester	Cr Lake
Cr Doran-Wu	Cr Maier
Cr Messina	

(Cr Torre was an apology for the meeting)

AMENDMENT

Moved Cr Ker, Seconded Cr Messina

That the Survey Form be amended to read as follows:

"What proportion of waste do you currently recycle?"

Zero Less than 25% 25 to 50% 50 to 75% Greater than 75%"

AMENDMENT PUT AND CARRIED (6-2)

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

(Cr Torre was an apology for the meeting)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

COUNCIL DECISION ITEM 10.2.1

That the Council;

- (i) *RECEIVES the Waste Management Progress Report No 2 as at 21 August 2007;*
- (ii) *APPROVES the "Waste Management Strategy and Recycling Survey" as shown in Appendix 10.2.1, subject to the following changes to the survey form:*
 - (a) *How much would you be prepared to pay for an improved recycling service?*
 - (b) *What amount are you willing to pay for a one-off payment for a new recycling bin? Nil \$25 \$50 \$75;*
 - (c) *What proportion of waste do you currently recycle? Zero Less than 25%, 25 to 50% 50 to 75% Greater than 75%;*
- (iii) *AUTHORISES the Chief Executive Officer to conduct a survey of ratepayers in the Town allowing them twenty-one (21) days in which to respond to the survey; and*
- (iv) *RECEIVES a further progress report once the survey has been completed and the results have been assessed.*

PURPOSE:

The purpose of this report is to provide further information on future initiatives regarding waste management in the Town and to present a *Waste Management (Recycling) Survey Form* for Council's approval.

BACKGROUND:

At its Ordinary meeting held on 23 January 2007, the Council received a waste management update report, where the following decision was made.

"That the Council;

- (i) *RECEIVES the Waste Management Progress Report No 1 as at 17 January 2007;*
- (ii) *NOTES;*
 - (a) *the State Government initiatives and strategies that have been developed as part of the vision of "Towards Zero Waste" in Western Australia as outlined in the report;*
 - (b) *that the Town, in partnership with its regional partners, will be required to formulate "Zero Waste Plans" in 2007/2008 as one of a number of initiatives to facilitate the necessary behavioural changes required to achieve the vision of "Towards Zero Waste";*

- (c) *that the Resource Recovery Rebate Scheme has been replaced with an interim measure, the Auditing Continuity /Data Capture Scheme, to ensure recycling data capture continues;*
- (d) *the information contained in the report regarding the Town's existing Waste Management Service and discussions on an improved kerbside recycling service and its associated costs;*
- (iii) *ADVISES the Department of Environment and Conservation and the Minister for Environment and Conservation that it supports the Western Australian Local Government Association's:*
- (a) *submission regarding the Waste Avoidance and Resource Recovery Levy Bill 2006 and Waste Avoidance and Resource Recovery Levy Bill 2006 relating specifically to Local Government issues (10.2.1A - as laid on the table); and*
- (b) *Policy Statement on container deposit systems as a means to improve resource recovery and the redistribution of waste management costs, reduce litter and increase community awareness in making more informed purchasing decisions (10.2.1B - as laid on the table);*
- (iv) *HOLDS a forum in February 2007 to discuss the proposal to conduct a "Resident Survey" to provide information and obtain feedback on the introduction of an improved kerbside recycling service; and*
- (v) *RECEIVES further Waste management Progress reports as matters unfold."*

In accordance with clause (iv) of the Council's decision, at the Council Forum held on 17 April 2007, a presentation titled "Resource Recovery through improved waste management achieving the 'right' balance" was shown.

The presentation outlined a way forward in the developing of a Waste Management Strategy for the Town, where it was suggested that:

- Residents in the Town be surveyed to gauge their support for an improved recycling service; and
- Once the survey had been completed, the results would be assessed and the financial implications etc of an improved service considered and a further report presented to the Council.

DETAILS

Current Scenario (2006/2007 statistics)

Statistics

The Mindarie Regional Council region currently produces over 300,000 tonnes of waste per annum. In 2006/2007 about 16,150 tonnes of material was collected in the Town. Based on a population of 26,749 persons, this equates to approximately 600kg of waste per person or 930kg per rateable property. Of this about 2,850 tonnes was recycled (106kg per person). Therefore about 13,270 tonnes of the waste collected in the Town i.e. 82% was buried in landfill (*refer following table*):

Service	Type	Landfill (tonnes)	Recycled (tonnes)	Total (tonnes)
Putrescible	Residential/Commercial	12,250	-	12,250
Tidy Bins	General Waste	570		570
Recyclable	Residential (Paper)	-	480	
	Residential (co-mingle)	-	945	1,450
Recyclable	Commercial/multi res (Paper)	-	600	
	Commercial/multi res (co-mingle)	-	225	830
Bulk verge	General Junk	450	10	
	Green Waste	-	590	1050
TOTAL	<i>Note: Figures have been rounded off.</i>	13,270	2,850	16,150

Current Service

The services provided by the Town to collect the above waste/recycling volumes, is as follows:

Putrescible Waste Collection:

Residential and commercial putrescible waste is collected weekly* by the Town's day labour work force. Properties/businesses are provided with at least one 240 litre Mobile Garbage Bin (MGBs).

Note*: Businesses (*due to their entitlements in accordance with the Council's policy*) and some multi residential properties, are provided with multiple MGBs and are collected up to three (3) times per week.

Recycling:

Residential properties are provided with a maximum of two (2) 50 litre recycling crates. These are collected fortnightly by a contractor – currently AMCOR. Commercial properties and multi residential properties are provided with a minimum of two (2) 240litre recycling MGBs (collected fortnightly).

Bulk Verge Collections:

Residential properties are provided with two (2) 'Greens' & one (1) 'General Junk' bulk verge collection per financial year collected by contract – currently D&M Waste.

Other

In addition, residents are given the opportunity to purchase subsidised 'Worm farms' and 'Compost bins' and attend free workshops on home composting.

Towards Zero Waste

As previously reported to the Council, the Western Australian State Government has established a Waste Management Board which is an 'advisory body' responsible for developing policy in collaboration with the Dept of Environment and Conservation (DEC).

The Board's vision is 'TOWARDS ZERO WASTE' in Western Australia and that this be achieved by:

- Prevention: *Avoid* the creation of waste
- Recovery: Effectively *Recover* retreat and reuse all wastes
- Disposal: Responsibly *Manage* waste into the environment

The State Government initiatives towards achieving the 'zero waste' vision are as follows:

- The development of 'Zero Waste Plans' for Local Governments
- Resource Recovery Rebate Scheme
- Waste Avoidance and Resource Recover Bill 2006
- Waste Avoidance and Resource Recover 'Levy' Bill 2006
- Extended producer Responsibility

Prevention

As mentioned above, the waste produced in the Town equates to about 0.6 tonnes per person per annum. This is in line with the Australian average, however, each individual needs to try and minimise the waste they produce.

To facilitate the reduction of the waste generated, a holistic approach needs to be taken including extended producer responsibility (EPR), community education and awareness raising and the development and implementation of a Waste Management Strategy commensurate with these aims.

Recovery

The reasons for the need to effectively recover retreat and reuse all wastes are as follows:

- Landfill Site (Tamala Park) has limited life
- Difficult to locate new landfill sites on Perth Coastal Plain
- Creation of leachate/methane from organics in landfill create polluted ground water and greenhouse gases – methane etc
- Removal of hazardous materials from the Waste Stream
- Recovery of valuable 'finite' resources eg: plastics (made from fossil fuels) paper (reduce the degradation of forests) Metals and Aluminium (More energy efficient to make new products from recycled materials)

The recovery of the resource (waste) must include:

- Diversion of organic waste from landfill and conversion into high quality compost in a Resource Recovery Facility (RRF)
- Improved Kerbside Collection to separate recyclable materials from the waste stream such as plastic, paper, glass and aluminium and metals
- Removal of hazardous materials from the Waste Stream via special drop off centres or removed from the Waste Stream at a Resource Recovery facility (RRF)
- Extended producer Responsibility eg Container Deposit Legislation (CDL)

The MRC is planning to construct Stage 1 of an RRF for the region (to be located in Neerabup (East Wanneroo). The current proposal for Stage 1 of the RRF is to process 100,000 tonnes of waste per annum, with about 70,000 tonnes to be recovered (compost created) and metals recycled. The MRC proposes to progressively construct an additional two (2) RRFs (Stages 2 and 3) over the next 10 or so years.

When all three (3) Stages of the RRF have been completed and member Council's have introduced improved 'Kerbside Recycling', it is envisaged that only minimal waste (residual) will be disposed of in landfill (TOWARDS ZERO WASTE).

Disposal

To responsibly manage waste into the environment, measures must be introduced as part of a Waste Management Strategy to manage and divert hazardous waste from the waste stream. This can be achieved by:

- Education and awareness raising
- Introducing special hazardous waste collections and/drop off centres
- Diversion from landfill by being separated at the RRF

Proposed 'Way Forward'

'Current' Cost of Waste Service

The Town's 'current' Waste Management Service (2005/2006 figures) costs about \$1.95m per annum. This was based on cost for landfill at Tamala Park of \$43 per Tonne. (This has now increased to \$47 per tonne - 2007/2008).

It has been calculated that when Stage 1 of the RRF is operational, the cost of putrescible waste per Tonne will increase to over \$105 per Tonne (*whether it goes to Tamala Park or the RRF*).

Note: When RRF is operational, every tonne of Waste not going to the RRF (or Tamala Park) will save the Town over \$105/tonne.

Improved Kerbside Recycling Collection Service

The 'current' kerbside recycling service has about a 30% participation rate and in 2006/2007 collected about 2,280 tonnes. If an improved 'Kerbside' Recycling Service was introduced using an MGB and the participation rate increased (education/promotion), there would be a marked increase in recycling tonnages. An improved Kerbside Recycling Service would have the following advantages:

An improved recycling service would result in the following benefits:

- Larger receptacle (increased recycling capacity)
- Increased tonnages from 1,250 to say 4,500+ (Promotion/education)
- Increased participation, 60%+ (currently 33%)
- Decrease in 'putrescible' waste tonnages
- Potential saving in disposal costs which would compensate for the increased recycling costs
- Potential reduction in rubbish charge due to a reduction in tonnages of putrescible waste
- Recovery/reuse of finite resources which would otherwise have gone to landfill (*Note: the first stage of the RRF will only be able to recover organics and metals from the Waste Stream*)
- Less energy required to reprocess recycled materials, resulting in fewer greenhouse gases produced and less water required, in the case of paper reprocessing
- Prolong the life of the Landfill therefore saving transport costs, time and the cost of finding a new landfill site (away from the Coastal Plain)
- Residents may become more aware of the products they purchase

Cost comparisons for an Improved kerbside Recycling Collection Service (and RRF built)

	2006/2007 Expenditure	2007/2008 budget	Proposed Cost Improved Recycling Service & RRF Operational	One off cost
Recycling Operations	\$241,500	\$323,000	\$550,000*	-
Recycling Promotion	\$6,000	\$70,000	\$25,000	-
New Recycling MGB 240 lt	-	-	-	\$785,000
Putrescible waste disposal	\$540,000	\$685,000	\$1,520,000**	-
Putrescible waste Operations	\$746,000	\$1,072,000	\$1,000,000	-
Bulk Verge Collections	\$270,000	\$300,000	\$305,000	-
Other***	\$122,000	\$158,500	\$165,000	-
Total	\$1,925,500	\$2,608,500	\$3,565,000	\$785,000

Notes

- * Increased cost of recycling collection using a combination of 'side lifting' and 'rear loading' compactor trucks.
- ** Increase in cost of \$835,000 (from 2007/2008) is due to the RRF being operational where it is estimated the tipping costs of waste will increase from \$47/tonne to over \$105/tonne.
- *** Tidy bins collection, compost bins, worm farms etc.

The increase in cost from 2006/2007 to 2007/2008 is due to: Increased tipping costs (\$43/tonne to \$47/tonne); and an increase in the number of households serviced (due to boundary changes).

	2007/2008 budget	Projected Costs Improved Recycling Service & RRF Operational	One off cost for new <u>Recycling</u> MGB
Total cost	\$ 2,608,500	\$ 3,565,000	\$785,500
Cost per rateable property (15,710 rateable properties)	\$166	\$227	\$50

Note: The above figures have made no allowance for increased recycling tonnages and a decrease in tonnages going to either the future RRF or to landfill.

Community Survey

A Waste Management Update report was presented to the Council in January 2007 where it was suggested that residents in the Town be surveyed to gauge their support for an improved recycling service. It was also suggested that once the survey had been completed, the results would be assessed and the financial implications etc of an improved service considered and further progress reports presented to the Council. The report also indicated that a draft Waste Management Strategy would be finalised following a community survey and that a key aspect of the Waste Strategy would be Community Education and Promotion of any improved service. In addition drop off points for batteries, plastic bags, mobile phones, etc. would be investigated and Hazardous waste disposal to be investigated.

'Possible' future separate rubbish charge

This has been previously discussed however no firm stand on this proposal has been adopted by the Council as yet. A separate Rubbish charge would have the following advantages.

- User pays principles
- Redistribution of part of the rate burden
- Increases in tipping costs, recycling costs, resource recovery could be more easily quantified/accounted for
- Scope not to apply a charge if a particular service is not provided eg Bulk Verge Collection for commercial properties
- Scope for discounts in the rubbish charge if smaller receptacles are provided eg 140 litre bins in lieu of 240 litre bins

This charge would not be based on the Gross Rental Value of the property and a disadvantage is that pensioners would not be eligible for a rebate unless the Council decided to offer them a subsidy. An estimate of this charge per rateable property (2008/2009), assuming an improved recycling service is introduced and the RRF is operational, would be in the order of between \$200 and \$230 per rateable property. *(if a rate was applicable now, 2007/2008, this would be in the order of \$170 per rateable property)*

CONSULTATION/ADVERTISING:

It is recommended that ratepayers in the Town be surveyed and that a further report be presented to the Council outlining the results. Quotes have been requested from suitable companies who have the expertise to assist in carrying out the postal survey on the Town's behalf.

The Town's officers will arrange for the distribution of the (attached) Newsletter/Survey document (reply paid).

The market research company chosen will collate and enter the data collected, analyse the responses received and prepare a report on the findings.

LEGAL/POLICY:

The Health Act 1911 empowers the Town to collect household refuse.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – *1.1.4 Minimise negative impacts on the community and environment.*

FINANCIAL/BUDGET IMPLICATIONS:

In 2007/2008 the disposal costs (to Tamala Park), excluding collection/cartage, are \$47/tonne however, with the proposed introduction of the RRF the disposal costs of the 'processable' waste per tone will increase to over \$105/tonne.

The increased disposal costs, coupled with a 'possible' improved kerbside recycling service, could cost an additional \$0.95m/annum. In addition, if an additional recycling MGB was introduced, this would comprise a 'one off' cost of about \$785,000 for the purchase of the bins.

Funds totalling \$70,000 have been allocated for recycling promotion in the 2007/2008 budget.

COMMENTS:

The Town's existing kerbside recycling service was introduced to divert parts of the waste stream that could be easily separated by the householder and that had a value for sale or re-use e.g. aluminium, steel cans, old newspapers, glass and plastics. However, while it is important to continue to recover these items, it is also extremely important to address the nutrient loading problem of the organic material going to the landfill.

There is an immediate need to reduce these impacts wherever possible. Most of the "negative effects" mentioned above, result from the organic materials that are buried in landfills. Examples of organic 'nasties' are green waste from gardens and food scraps from the kitchen. These can cause serious problems for water supplies, rivers and lakes.

While there are now better engineered landfills to reduce groundwater contamination and the methane gas produced is used for energy generation, in order to reduce the "negative effects" there is still an urgent need to reduce the amount of waste buried in landfills.

The Tamala Park landfill has a limited life span and no new sanitary landfill sites are encouraged to be located on the Perth Coastal Plain. Therefore, future sites will need to be located further inland, resulting in long haul distances. It is essential to reduce the waste to landfill for the obvious environmental benefits and to prolong the life of Tamala Park given that there will, at least in the short to medium term, still be a requirement to landfill the residual portion of the waste stream from the resource recovery process.

The MRC, RRF facility is being planned to address these issues and is in line with the guiding principles and 'vision' of the Waste Management Board of *towards zero waste in Western Australia* and the:

- Prevention - To avoid the creation of waste
- Recovery - To effectively recover, retreat and reuse all wastes and
- Disposal - To responsibly manage waste into the environment.

An improved kerbside recycling collection service is needed to help in achieving this 'vision'.

10.2.3 Hyde Park Lakes – Progress Report No 4 – Acceptance of Masterplan Quotation, Approval of Public Fund

Ward:	South	Date:	20 August 2007
Precinct:	Hyde Park (P12)	File Ref:	RES0042
Attachments:	001		
Reporting Officer(s):	J van den Bok, M Rootsey		
Checked/Endorsed by:	R Lotznicker John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES progress report No 4 in relation to the Hyde Park Lakes;*
- (ii) *ACCEPTS the quotation submitted by Syrinx Environmental for the preparation of the Masterplan for Hyde Park Lakes at a total cost of \$96,272 (exclusive GST) in accordance with the brief for Contract No. CO2/07;*
- (iii) *NOTES that a further report on the project will be submitted upon completion of the Masterplan; and*
- (iv) *APPROVES the establishment of a Hyde Park Lakes Restoration Public Fund, subject to the following:*
 - (a) *Term: For the duration of the project;*
 - (b) *Terms of Reference:*

“For works associated with the investigation, maintenance, remedial works and the restoration/rehabilitation of the Hyde Park Lakes and surrounds”;
 - (c) *Tax File Number and tax deductibility application (to be obtained); and*
 - (d) *Fund Signatories: Chief Executive Officer and Director Corporate Services.*

Moved Cr Farrell, Seconded Cr Chester

That the recommendation be adopted.

Debate ensued.

Cr Farrell departed the Chamber at 8.20 pm.

Debate ensued.

Cr Farrell returned to the Chamber at 8.24 pm.

AMENDMENT

Moved Cr Ker, Seconded Cr Lake

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

“(v) *requests a report on promotional opportunities for funds to be submitted to the Council.*”

Debate ensued.

AMENDMENT PUT AND CARRIED (7-1)

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

(Cr Torre was an apology for the meeting)

MOTION AS AMENDED PUT AND CARRIED (8-0)

COUNCIL DECISION ITEM 10.2.3

That the Council;

- (i) *RECEIVES progress report No 4 in relation to the Hyde Park Lakes;*
- (ii) *ACCEPTS the quotation submitted by Syrinx Environmental for the preparation of the Masterplan for Hyde Park Lakes at a total cost of \$96,272 (exclusive GST) in accordance with the brief for Contract No. CO2/07;*
- (iii) *NOTES that a further report on the project will be submitted upon completion of the Masterplan; and*
- (iv) *APPROVES the establishment of a Hyde Park Lakes Restoration Public Fund, subject to the following:*
 - (a) *Term: For the duration of the project;*
 - (b) *Terms of Reference:*

“For works associated with the investigation, maintenance, remedial works and the restoration/rehabilitation of the Hyde Park Lakes and surrounds”;
 - (c) *Tax File Number and tax deductibility application (to be obtained);*
 - (d) *Fund Signatories: Chief Executive Officer and Director Corporate Services; and*
- (v) *requests a report on promotional opportunities for funds to be submitted to the Council.*

PURPOSE OF REPORT:

The purpose of this report is to provide further information of the progress made by the Hyde Park Lakes Restoration Working Group (HPLRWG), and to seek approval to engage a consultant for the preparation of a Masterplan for the Restoration and long term management of the Hyde Park Lakes and the establishment of a public fund.

BACKGROUND:

At its Ordinary Meeting held on 12 June 2007, the Council considered a report by the HPLRG – Progress Report No 3, where the following decision was made:

"That the Council;

- (i) *RECEIVES the progress report No 4 in relation to the Hyde Park Lakes;*
- (ii) *NOTES;*
 - (a) *the information contained in the report in relation to the proposed Application of a licence for an exploratory bore into Leederville Aquifer and the recent actions/ investigations by the Town's Officers and Members of the Hyde Park Lakes Restoration Working Group;*
 - (b) *the response, as summarised in the report, received from by the Minister for Water Recourses regarding the Hyde Park Lakes; and*
 - (c) *that \$455,000 is currently being committed to the Restoration of the Hyde Park Lakes; and*
- (iii) *ADOPTS the Draft Consultants brief for the preparation of a Masterplan for the restoration of the Hyde Park Lakes and surrounds as outlined in appendix 10.2.1;*
- (iv) *CONSIDERS the setting up of a future public appeal to raise funds for the Restoration of the Hyde Park Lakes once a Restoration Masterplan has been developed and signed off and approved by all Stake Holders;*
- (v) *AUTHORISES the Chief Executive Officer to advertise for the calling of appropriate consultants to prepare the Masterplan; and*
- (vi) *RECEIVES a further report on the matter prior to appointing a consultant."*

DETAILS:**Quotations for the preparation of a "Masterplan for the Restoration of the Hyde Park Lakes and Surrounds"**

Quotations were invited from suitably qualified consultants for the above project and nine (9) companies contacted the Town and requested copies of the brief and accompanying background documentation.

Quotations closed at 2.00pm on 8 August 2007 and two (2) submissions for the project were received. Details are as follows:

Schedule 1 – Lump Sum Fees

Company/ Consultant	Price
Syrinx Environmental Pty Ltd	\$96,272.00
Urbis Pty Ltd	\$117,962.50

Schedule 2 – Hourly Rates

Syrinx Environmental

Kathy Menev	Project Director	\$200.00
Thomas Schwarten	Project Manager	\$160.00
Kathryn Hardcastle	Consultation, Liaison & Ecology	\$160.00

Debbie Kuh	Design Director	\$180.00
Rob Braaten	Principle Hydrologist	\$180.00
Ljiljana Pantelic	Water Treatment, Environmental Health	\$140.00
Julian Lepetit	Water Resource Engineer	\$160.00
Simon Hadley	Senior Designer	\$140.00
	Design Assistant	\$100.00

Urbis Pty Ltd

Chris Byrne	Director	\$275.00
Emma Carr	Senior Landscape Architect	\$195.00
Andrew Tomlins	Associate Director	\$200.00
Joclyn Baister	Consultant Landscape Architect	\$95.00

Company/ Consultant (cont'd)		Price
Jon Everitt	Consultant Landscape Architect	\$105.00
Barbara Kletnieks	Consultant Landscape Architect	\$85.00
Karen Lane	Principle Environmental Engineer	\$200.00
Dale Newsome	Principle Environmental Management	\$180.00
Margaret Dunlop	Principle Environmental Engineer	\$140.00
Bronwyn Woodward	Environmental Scientist	\$110.00
Olivia Davies	Environmental Scientist/ Botanist	\$110.00
Mathew Love	Environmental Biologist	\$95.00
Christine Moro & Assoc.	Consultation	\$150.00
Frank Quinti	Irrigation Consultants	\$200.00

Evaluation

Selection Criteria

The following weighted criteria were used for the selection of the companies for Preparation of a Master Plan for the Restoration of Hyde Park Lakes.

Criteria	Weighting
History and Viability of your Organisation <ul style="list-style-type: none"> Detail your history and viability References 	10%
Methodology <ul style="list-style-type: none"> Demonstrate proposed methodology for this projects to be completed on time and within budget Proposed methodology for this project and demonstrated evidence of similar project, particularly in WA Demonstrate your understanding of the required service by identifying the key issues and risks associated with delivering the project. 	15%
Understanding of the Proposal <ul style="list-style-type: none"> Demonstrated level of understanding of what is required to produce a quality outcome 	15%
Relevant experience, expertise and project team <ul style="list-style-type: none"> Experience, expertise and project team Capacity to address the range of services required Role and credentials of the key person(s) in the provision of the service (i.e. formal qualifications and experience) 	20%

<ul style="list-style-type: none"> Ongoing availability to provide sufficient skilled persons capable of performing the tasks consistent with the required standards Understanding of the required service associated with delivering the services to the Town Experience and success in the sphere of recent major projects, particularly in WA 	
Community consultation Proposal and skills <ul style="list-style-type: none"> Demonstrated skills in consultation with the community on environmental and other related matters 	5%
Fee Proposal <ul style="list-style-type: none"> Included in the lump sum fee all fees, any other costs and disbursements to provide the required service and the appropriate level of the Goods and Services Tax (GST) Represents the "best value" for money Application of a reasonable fee structure in proportion to the service provided Key personnel hourly rates provided 	25%
Project timetable/Capacity to Deliver <ul style="list-style-type: none"> Capacity to deliver the required project on time and within budget Demonstrate your capacity and depth to effectively address the range of requirements of the Town 	10%
Total	100%

Evaluation Panel

The Evaluation Panel consisted of the Director Technical Services, Rick Lotznicker, Manager Parks Services, Jeremy van den Bok, and Director Corporate Services, Mike Rootsey.

Each submission was assessed using the above selection criteria in accordance with the Consultant Brief.

Criteria	Weighting	Syrinx	Urbis
History and Viability of your Organisation	10	10	8
Methodology	15	13.5	12
Understanding of the Proposal	15	13.5	13.5
Relevant experience, expertise and project team	20	16	15
Community consultation Proposal and skills	5	5	3
Fee Proposal	2	25	20.4
Project timetable/Capacity to Deliver	10	10	10
Total	100	93	81.9
RANKING		1	2

Summary

Syrinx Environmental Pty Ltd

Syrinx Environmental is a Western Australian and Victorian based company specialising in sustainable environmental landscape. The company applies innovative thinking to the design, development and implementation of projects that realise the solving of an immediate need and the provision of future end uses.

Syrinx Environmental have recently successfully completed Stage 1A of the Restoration of the Banks Reserve Foreshore for the Town and have completed many other projects around the Perth metropolitan area including:

- Ashfield Flats Concept Masterplan
- Tranby Foreshore Restoration Masterplan
- Point Fraser Demonstration Wetlands and
- Wharf Street Constructed Wetland.

They have excellent references and have won numerous awards for the projects they have completed throughout Australia.

Urbis Pty Ltd

Urbis Pty Ltd began as a property consulting firm in Melbourne in 1965 and is now a multi-skilled international company with experience in various disciplines.

In 2007 Urbis merged with Tract (WA), Western Australia's leading landscape architectural practice. The Perth office is a specialised Landscape Architectural practice with a focus on creating highly attractive and sustainable landscapes.

The company has been involved in various urban renewal projects and projects, with a particular emphasis on environmental design such as Pier Street Housing, Coal Dam in Midland and Ozone Lakes.

Letters of support from the Department of Environment and HCWA for approval to draw water from Leederville Aquifer

The Manager Parks Services and Senior Heritage Officer met on site with an officer from the Heritage Council to outline the proposed options to restore the lakes at Hyde Park. Subsequently, a letter of support for maintaining the water body at Hyde Park was received and submitted with the Town's licence application to the Department of Water.

The Department of Environment, whilst initially very helpful and cooperative, advised that their officers did not have the time to attend a site meeting to discuss the Town's restoration options. Whilst they were provided with background information, their letter received after numerous telephone calls does not necessarily support the option for maintaining a water body at Hyde Park.

Both letters received are attached (10.2.3).

Application for licence (exploratory bore into Leederville Aquifer)

An application for a licence to investigate or construct one or possibly two test bores into the Leederville Aquifer has been submitted to the Department of Water and to date no response has been received.

Establishment of the Hyde Park Lakes Public Fund

At the Ordinary Council meeting the 12th June 2007 the Council considered a report by the HPLRG - Progress Report No. 3 clause (IV) stated the following:

“CONSIDERS the setting up of a future public appeal to raise funds for the Restoration of the Hyde Park Lakes once a Restoration Masterplan has been developed and signed off and approved by all Stakeholders”.

Terms of Reference

The terms of reference for the Hyde Park Restoration Fund - Public Appeal to include the following:

- The term of the fund will be for the period of work undertaken on the restoration of the Hyde Park Lakes as determined by the Town of Vincent.
- Monies collected for the fund to be used solely for the restoration of the Hyde Parks Lakes and for no other purpose.
- Hyde Park Restoration Fund - Public Appeal to have a separate bank account.
- Hyde Park Restoration Fund - Public Appeal to be managed by the Town of Vincent.
- The fund will not form part of the Town of Vincent financial account.
- The Hyde Park Restoration Fund - Public Appeal to provide monthly income and expenditure financial statements and will be the subject to audit for the period of time it exists.
- Donation to the fund to be eligible for tax deductibility.

Application to Australian Tax Office

The Town will make an application for the funds to the Australian Taxation Office to enable it to receive deductible contributions under the relevant fund category once the approval for the fund is adopted by the Council.

CONSULTATION/ADVERTISING:

In accordance with the brief, the consultant will be required to conduct at least one (1) workshop and one (1) site meeting with all of the following Stakeholders:

- Hyde Park Lakes Restoration Working Group (HPLRWG)
- Heritage Council of Western Australia
- Key Stakeholders (Water Corporation, Heritage Council, Aboriginal Groups)
- Elected Representatives
- Precinct Group Representatives
- Community Representatives
- Others (as identified by the Town)

The Town will arrange the appropriate liaison/meeting with the Department of Indigenous Affairs and relevant Aboriginal Group/s.

The consultant will be required to attend four (4) HPLRWG meetings at 20%, 40%, 80% and 100% completion of the draft Masterplan options for a maximum of three (3) hours duration per meeting.

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.4 Minimise negative impacts on the community and environment. “(b) *Restore Hyde Park Lakes and Banks Reserve Foreshore.*”

FINANCIAL/BUDGET IMPLICATIONS:

A total amount of \$105,000 has been allocated in the 2006/2007 budget for the restoration of Hyde Park lakes. Also, the North Perth Community Bank has advised that they will donate \$50,000 over five (5) years towards this project. In addition, \$300,000 has been transferred to the Hyde Park Lakes Reserve Fund in 2007/2008.

COMMENTS:

It is therefore recommended that the Council accepts the quotation submitted by Syrinx Environmental Pty Ltd for the completion of a Masterplan for the Restoration of Hyde Park Lakes as outlined within the brief for Contract No. CO2/07. Approval of the Public Fund is also recommended.

The Presiding Member advised that Councillor Messina had declared a proximity interest in this matter. Councillor Messina departed the Chamber at 8.27 pm. He did not speak or vote on the item.

10.2.4 Proposed Three Hour Parking Restriction - Fairfield Street, Mt Hawthorn

Ward:	North	Date:	20.08.2007
Precinct:	Mount Hawthorn & Mount Hawthorn Centre (P1 & P2)	File Ref:	PKG0093
Attachments:	001		
Reporting Officer(s):	A Munyard		
Checked/Endorsed by:	C Wilson	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the report on the introduction of parking restrictions in Fairfield Street between Scarborough Beach Road and Woodstock Street;
- (ii) **APPROVES** the introduction of a three (3) hour parking restriction in the unrestricted sections of Fairfield Street as illustrated in Plan 2541-PP-1, subject to the majority of residents being in favour; and
- (iii) **PLACES** a moratorium on the issue of infringement notices for a period of two (2) weeks following the installation of the signage; and
- (iv) **LIAISES** with the managing agents of 'The Mezz' Shopping Centre to determine whether there is a possibility of implementing longer term parking in a portion of the internal car park.

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Moved Cr Lake, Seconded Cr Farrell

That the following amendment be made.

AMENDMENT

- (i) **RECEIVES** the report on the introduction of parking restrictions in Fairfield Street between Scarborough Beach Road and Woodstock Street;
- (ii) **APPROVES APPROVES IN PRINCIPLE** the introduction of a ~~three (3)~~ two (2) hour parking restriction in the unrestricted sections of Fairfield Street as illustrated in Plan 2541-PP-1, subject to the majority of residents being in favour;
- ~~(iii) PLACES a moratorium on the issue of infringement notices for a period of two (2) weeks following the installation of the signage; and~~
- (iii) ADVERTISES** the proposal for a period of twenty-one (21) days, seeking public comment;

(iv) FOLLOWING the conclusion of advertising, submit a further report to Council;

~~(iv)~~ (v) LIAISES with the managing agents of 'The Mezz' Shopping Centre requesting that adequate all day parking is provided within the shopping centre carpark for staff at 'The Mezz' to determine whether there is a possibility of implanting longer term parking in a portion of the internal car park.

Debate ensued.

Cr Farrell requested that clause (v) be voted upon separately and the Presiding Member agreed.

CLAUSES (i) (ii) (iii) AND (iv) WERE PUT AND CARRIED (6-1)

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

(Cr Torre was an apology for the meeting. Cr Messina was absent from the Chamber, due to his proximity interest in the matter.)

CLAUSE (V) WAS PUT AND CARRIED (4-3)

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

(Cr Torre was an apology for the meeting. Cr Messina was absent from the Chamber, due to his proximity interest in the matter.)

(Cr Messina was out of the Chamber)

Moved Cr Farrell, **Seconded** Cr Ker

That Clause (v) be amended to read as follows:

“(v) LIAISES with the managing agents of ‘The Mezz’ Shopping Centre, requesting that adequate all-day parking is provided within the Shopping Centre car park for staff at ‘The Mezz’ and further requests that ‘The Mezz’ management prepare a parking management plan for ‘The Mezz’ car park to minimise the need for staff parking within the shopping centre car park.”

AMENDMENT PUT AND CARRIED (7-0)

(Cr Torre was an apology for the meeting. Cr Messina was absent from the Chamber, due to his proximity interest in the matter.)

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Cr Torre was an apology for the meeting. Cr Messina was absent from the Chamber, due to his proximity interest in the matter.)

(Cr Messina returned to the Chamber at 8.45pm)

COUNCIL DECISION ITEM 10.2.4

- (i) *RECEIVES the report on the introduction of parking restrictions in Fairfield Street between Scarborough Beach Road and Woodstock Street;*
- (ii) *APPROVES IN PRINCIPLE the introduction of a two (2) hour parking restriction in the unrestricted sections of Fairfield Street as illustrated in Plan 2541-PP-1, subject to the majority of residents being in favour;*
- (iii) *ADVERTISES the proposal for a period of twenty-one (21) days, seeking public comment;*
- (iv) *FOLLOWING the conclusion of advertising, submit a further report to Council; and*
- (v) *LIAISES with the managing agents of 'The Mezz' Shopping Centre, requesting that adequate all-day parking is provided within the Shopping Centre car park for staff at 'The Mezz' and further requests that 'The Mezz' management prepare a parking management plan for 'The Mezz' car park to minimise the need for staff parking within the shopping centre car park.*

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval for the introduction of a three (3) hour parking restriction in the currently unrestricted portions of Fairfield Street, in the immediate vicinity of 'the Mezz' shopping centre.

BACKGROUND:

The recent refurbishment of 'the Mezz' shopping Centre has generated an influx of all-day parking in Fairfield Street, to the disadvantage of residents. The Town has been requested to put in place measures to dissuade all-day parking.

DETAILS:

The newly refurbished Mount Hawthorn Shopping facility known as 'the Mezz' has attracted a large number of new patrons, which has prompted the management to introduce a three (3) hour parking restriction in their car park. Consequently, staff from 'the Mezz' and other businesses in the area have moved to the surrounding unrestricted streets, in particular, Fairfield Street.

The Mount Hawthorn Precinct group, together with individual residents, have approached the Town asking for suitable measures to be introduced to free up parking for the benefit of residents and their visitors.

Residents of Flinders Street are also experiencing an increase in kerbside parking, however there are a number of other associated traffic matters to be considered in Flinders Street, and these will be addressed with an overall strategy in the near future.

In accordance with the Town's normal practice, residents will be asked to comment on the proposed restriction, which will be in place from 8.00am until 5.30pm, Monday to Saturday. Should the Council approve the proposal, and the majority of the residents support it as well, the restriction will be implemented.

CONSULTATION/ADVERTISING:

As outlined above.

LEGAL/POLICY:

The Town's Rangers will enforce the restriction once the moratorium period has elapsed.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"(e) Review, implement and promote the car parking strategy"*.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of manufacture and installation of signage will be approximately \$1,400.00.

COMMENTS:

The Town has been requested to act to protect the interests of the residents of this section of Fairfield Street from the full impact of all-day parking. As the problem is considered to be quite severe, the introduction of parking restrictions is deemed warranted and it is recommended that, subject to the majority of residents being in favour, the restrictions as outlined be implemented.

10.2.5 Further Report - Request for Removal of Clearway Restriction and Other Suggested Improvements - Vincent Street, Leederville (Oxford Street to Loftus Street)

Ward:	South	Date:	21 August 2007
Precinct:	Oxford Centre P4	File Ref:	TES0045/PKG0001
Attachments:	001		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicker	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the request for the suggested removal of the Clearway Restriction on the southern side of Vincent Street, Leederville, between Oxford and Loftus Streets;*
- (ii) *NOTES that the matter has been considered by the Local Area Traffic Management Advisory Group and Main Roads WA;*
- (iii) *APPROVES the retention of the Clearway for the reasons outlined in the report; and*
- (iv) *ADVISES the Vincent Street resident who raised the issue with the Town of the Council's decision.*

Moved Cr Farrell, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Lake

That a new Clause (v) be added as follows:

“(v) *REVIEWS the issue when the impact of the Leederville Masterplan is clearer.*”

AMENDMENT PUT AND CARRIED (6-2)

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

(Cr Torre was an apology for the meeting)

MOTION AS AMENDED PUT AND CARRIED (6-2)

For
Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Messina

Against
Cr Lake
Cr Maier

(Cr Torre was an apology for the meeting)

COUNCIL DECISION ITEM 10.2.5

That the Council;

- (i) *RECEIVES the report on the request for the suggested removal of the Clearway Restriction on the southern side of Vincent Street, Leederville, between Oxford and Loftus Streets;*
- (ii) *NOTES that the matter has been considered by the Local Area Traffic Management Advisory Group and Main Roads WA;*
- (iii) *APPROVES the retention of the Clearway for the reasons outlined in the report;*
- (iv) *ADVISES the Vincent Street resident who raised the issue with the Town of the Council's decision; and*
- (v) *REVIEWS the issue when the impact of the Leederville Masterplan is clearer.*

PURPOSE OF REPORT:

The purpose of this report is to advise Council of the responses of Main Roads WA and the Department for Planning and Infrastructure to suggested changes to road network and traffic management in Vincent Street, in order to accommodate the possible removal of the Clearway restriction on the southern side of Vincent Street, between Loftus and Oxford Streets.

BACKGROUND:

At its Ordinary Meeting held on 10 November 1997 the Council approved the introduction of a morning clearway on the southern side of Vincent Street, between Loftus and Oxford Streets, between the hours of 7.30 am and 9.00 am Monday to Friday. Prior to this there was only an evening clearway restriction (4.15 pm to 6.00 pm) in place.

Vincent Street, from the Mitchell Freeway to Fitzgerald Street, has been subject to clearway restrictions for in excess of a decade, with the restrictions imposed in recognition of Vincent Street's classification as a District Distributor A Road in accordance with the Metropolitan Functional Road Hierarchy.

At its Ordinary Meeting of 13 June 2006, the Council received a report on a request from a resident of Vincent Street to remove the Clearway restrictions on the south side of Vincent Street, between Loftus and Oxford Streets, as in their opinion it is not warranted and causes undue problems to residents.

On considering the report, the Council decided, in part to:

"(ii) REFERS the following matter, as listed below and detailed in the report, to the Town's Local Area Traffic Management Advisory Group for their consideration;"

Local Area Traffic Management (LATM) Advisory Group

The matter was raised in General Business at an LATM Advisory Group meeting in September 2006 and the Group duly invited the Vincent Street resident to attend the LATM meeting of 29 January 2007.

At the meeting, the resident tabled a lengthy document detailing his justification for removing the Clearway Restriction. Amongst the issues raised by the resident was a loss of amenity, difficulty in accessing his property, the dominance of the car over residents and the existing lane markings encouraging through traffic.

The Group discussed Vincent Street's function as a District Distributor A road, and that a likely consequence of removing the Clearway restrictions and lane markings could increase traffic on surrounding 'residential' streets.

Prior to further considering removing the Clearway restriction, the Advisory Group discussed the configuration of the Vincent and Loftus Streets intersection and, specifically, the potential benefit of installing a *Left Turn Only* lane in Vincent Street west bound on approach to Loftus Street. It was suggested that should this measure be introduced, it would eliminate the need for vehicles west of Loftus Street having to merge at speed over a short distance, as currently occurs outside of Clearway hours, thereby improving the amenity of those residents closest to Loftus Street.

The Group decided to refer the matter to the Council, recommending that the Town consult with Main Roads WA (MRWA) and the Department for Planning and Infrastructure (DPI) regarding the suggested changes to the intersection and possible removal of the clearway restriction.

The Council subsequently considered a further report on the matter at its Ordinary Meeting held on 27 February 2007, where the following decision (in part) was made:

"That the Council;

- (iii) WRITES to Main Roads WA and the Department for Planning and Infrastructure seeking their comments regarding the proposal as outlined on attached Plans Nos. 2510-TM-1 and 2511-PP-1;*
- (iv) RECEIVES a further report once a formal response has been received from both Main Roads WA and the Department for Planning and Infrastructure prior to the proposal being canvassed with the community; and*
- (v) ADVISES the Vincent Street resident who raised the issue with the Town of the Council's decision."*

DETAILS:

In accordance with clause (iii) of Council's decision at the Ordinary Meeting of 27 February 2007, the Town wrote to MRWA and the DPI seeking their comments.

Intersection Loftus/Vincent St

To date only MRWA has replied.

Essentially Main Road's response was that, based upon both traffic data and observation, they did not support the introduction of a dedicated *Left Turn Only* lane west bound in Vincent Street on approach to Loftus Street. They foresaw significant increased queue lengths and subsequent delays during peak periods. Further, it was MRWA's position that it could lead to additional 'rat running' through the adjoining access roads as motorists attempted to avoid the intersection during peak periods.

Clearway

With regard to the possible removal of the Clearway restrictions between Loftus and Oxford Streets, MRWA did not provide a specific comment as the road is under the care and control of the Town. However, at officer level they expressed serious reservations about the impact upon traffic queuing and congestion in Vincent Street, on approach to Oxford Street, particularly in the afternoon peak period.

By way of example, when a car is parked in the Clearway zone in the vicinity of Leederville Oval, the traffic can queue back as far as the Town's Administration Centre. However, the impact of a car parked in the Clearway zone closer to the Loftus Street end is not as significant.

As previously mentioned, Vincent Street between the Mitchell Freeway and Fitzgerald Street, has been subject to clearway restrictions for in excess of a decade.

The Oxford/Vincent traffic signals, unlike the Loftus/Vincent intersection, do not have a right turn signal phase but rather a right turn ban (*on the east / west movements*) between 7.00 am and 9.00 am and 4.00 pm and 6.00 pm respectively. However, it is quite common for drivers to ignore the ban and, as a consequence, many motorists tend to remain in the left, or kerbside, lane in anticipation of this happening.

As indicated above, when the two scenarios are combined (vehicle parked in the Clearway opposite Leederville Oval and vehicle turning right against the signal) the resultant queue can be substantial.

Officers' Comments:

As outlined at the LATM meeting, Vincent Street, given its classification, is intended to carry high volumes of 'through' traffic, i.e. non local traffic. Clearway restrictions generally exist on all similar classified roads in the Town and throughout the metropolitan area to ensure traffic flows are unimpeded, as much as possible, during the morning and evening peak periods.

A build up of traffic on these types of roads, i.e. District Distributors, due to parked vehicles, albeit often illegally, break downs, traffic crashes etc., often result in a negative impact on adjoining residential streets, classified as 'access roads', as motorists try to find a quicker route.

While the traffic volume along this section of Vincent Street has dropped by about 2,800 vehicle per day since the opening of the Graham Farmer Freeway, the road still carries in excess of 15,000 vehicles per day, of which there are 650 vehicles per hour during the peak periods.

It is therefore imperative that when considering the removal of a clearway restriction, the possible negative impact on other roads in the network need to be considered.

With regard to Clause (iv) of Council's decision of 27 February 2007, consultation with the residents of Vincent Street, between Loftus and Oxfords Street, is likely to result in a vote to remove the Clearway which could place the Town in an awkward situation. If the Clearway is removed and the result is a significant increase in traffic congestion, the Town is leaving itself open to criticism. Conversely if, as expected, a majority of the residents want the Clearway removed, and its not removed, again the Town would also leave itself open to criticism.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

While Vincent Street is under the care, control and management of the Town, given its regional importance as a District Distributor 'A' Road, the Commissioner of Main Roads could move to reinstate the Clearway if its removal proved detrimental to orderly traffic movement through the Leederville area.

STRATEGIC IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

N/A

COMMENTS:

The request to remove the Clearway Restrictions on the southern side of Vincent Street, between Oxford and Loftus Streets, was initiated by a single resident. However, while some residents would endorse the proposal, it is generally not supported by MRWA and the Town's officers. It is considered that the road functions well at present and the status quo should remain.

In addition, it should be noted that should the Council determine that the clearway should be removed, the existing no stopping restriction (Loftus Street end) would need to be extended to the west (past the Town of Vincent Administration and Civic Centre entrance), resulting in the permanent loss of three (3) on-road parking spaces. In addition, a section of the existing clearway from the existing *No Stopping* zone (from Oxford Street) to just past the entrance to the Leederville Oval/DSR Carpark, would need to remain in place to avoid traffic build-up and congestion at this location.

10.3.1 Forrest Park Pavilion – Approval of Concept Plans

Ward:	South	Date:	21 August 2007
Precinct:	Forrest P14	File Ref:	RES003
Attachments:	001		
Reporting Officer(s):	M Rootsey, J Bennett, P Betts, J van den Bok		
Checked/Endorsed by:	John Giorgi	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) **APPROVES;**
 - (a) *the Pavilion plan (SK02) for the proposed Forrest Park Pavilion;*
 - (b) *the relocation of the Highgate Child Health Clinic from 84 Harold Street, Highgate, to the new facility;*
- (ii) **AUTHORISES the Chief Executive Officer to;**
 - (a) *prepare a specification with detailed working drawings for the proposed Forrest Park Pavilion;*
 - (b) *call tenders for the work;*
 - (c) *investigate the future use of 84 Harold Street, Highgate, and/or disposal of the property;*
 - (d) *investigate the benefits of providing a lease to Perth Junior Soccer club and other sporting groups for part of the proposed facility; and*
 - (e) *negotiate the terms and conditions for the lease of part of the proposed facility for Forrest Park Playgroup; and*
- (iii) **APPROVES;**
 - (a) *the advertising of the concept plans for a period of twenty one (21) days; and*
 - (b) *considers any submissions received as a result of the community consultation period.*

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Lake

That Clauses (ii)(a) and (b) be deleted.

Debate ensued.

AMENDMENT PUT AND LOST
ON THE CASTING VOTE OF THE PRESIDING MEMBER (4-5)

<u>For</u>	<u>Against</u>
Cr Chester	Mayor Catania (deliberative & casting vote)
Cr Farrell	Cr Doran-Wu
Cr Lake	Cr Ker
Cr Maier	Cr Messina

(Cr Torre was an apology for the meeting)

AMENDMENT

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

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

“(i) APPROVES in principle;”

AMENDMENT PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

MOTION AS AMENDED PUT AND CARRIED (7-1)

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

(Cr Torre was an apology for the meeting)

Cr Farrell departed the Chamber at 8.50 pm.

Cr Farrell returned to the Chamber at 8.51 pm.

COUNCIL DECISION ITEM 10.3.1

That the Council;

- (i) APPROVES IN PRINCIPLE;
 - (a) *the Pavilion plan (SK02) for the proposed Forrest Park Pavilion;*
 - (b) *the relocation of the Highgate Child Health Clinic from 84 Harold Street, Highgate, to the new facility;*

- (ii) ***AUTHORISES the Chief Executive Officer to;***
- (a) *investigate the future use of 84 Harold Street, Highgate, and/or disposal of the property;*
 - (b) *investigate the benefits of providing a lease to Perth Junior Soccer club and other sporting groups for part of the proposed facility; and*
 - (c) *negotiate the terms and conditions for the lease of part of the proposed facility for Forrest Park Playgroup; and*
- (iii) ***APPROVES;***
- (a) *the advertising of the concept plans for a period of twenty one (21) days; and*
 - (b) *considers any submissions received as a result of the community consultation period.*
-

PURPOSE OF REPORT:

To obtain Council approval of the Plans for the upgrade of the Forrest Park Pavilion for community consultation and call a tender for the work.

BACKGROUND:

The multi-function sporting and community facility at Forrest Park Reserve currently consists of a single change room for sporting clubs including the Perth Junior Soccer Club and Tuart Hill Perth Cricket Club, there are male and female public toilets, a kiosk area and a gardener's shed. The Forrest Park Children's Playgroup currently leases a small area, which was originally the second change room and clubroom.

Due to the number of people that use the reserve and facility, including the groups listed above as well as general public, local schools and people exercising their dogs, these facilities are no longer adequate.

This project proposal aims to upgrade and extend the sporting end of the clubroom facilities in line with services provided across other Town of Vincent sporting reserves.

The Perth Junior Soccer Club have for a number of years been concerned that there is only one change room at the facility, which is not acceptable, to especially given the increasing number in junior membership.

During the soccer season, over twenty (20) teams use the change room facilities for home and away games at Forrest Park Reserve. One single change room is not adequate for this number of teams therefore it is suggested that the number of change rooms be increased to four (4) with an additional referee change room.

Soccer in particular junior soccer continues to increase in popularity due to a number of factors, success of the national team in the World Cup, increasing television exposure to English Premier League matches and locally the impact of Perth Glory as a local club in the National league.

Approximately three hundred children are now participating at Forrest Park Reserve. The club utilises the ground for training. Most days of the week and plays matches on Sunday during the period from March to September, training for teams commences around December.

The matter has been further accentuated by the increasing number of females that are now playing soccer; the club is currently unable to field female teams due to the lack of a separate change room.

The Playgroup has indicated that there is insufficient storage within its leased area for the growth of children and families that has been experienced recently and is expected to continue. They have also raised concerns about the standard and positioning of the male and female public toilets.

A number of plans have been prepared in recent years for the clubs area of the facility, however, none have come to fruition mainly due to the lack of funding.

Funds were allocated in 2005/06 budget and this was to be supplemented with an application CSSRF Funding this application proved unsuccessful.

Last year another submission was made for an upgrade of the facility a design was submitted for the facility on the upgrade area used by the Perth Junior Soccer Club.

The Town has now allocated additional funds for this project on the 2007/08 Annual Budget.

The concept plan for the upgrade of the facility is now focused on the whole facility at Forrest Park as it is evident that the Playgroup facility requires upgrading to meet minimum requirements for the group this will then enable the venue to become a multi-use facility.

DETAILS:

Facility Users

The Perth Junior Soccer club and the Tuart Hill Cricket club use the Forrest Park Reserve and change rooms on a seasonal hire basis and have been doing so for a number of years.

The Perth Junior Soccer Club as a junior club under the Town's reserve hire policy do not currently pay hire fees for the use of the reserve or change rooms.

The Tuart Hill cricket club as a senior club under the Town's reserve hire policy pay the associated reserve hire fees. It should be noted that this venue is used by the club for its lower grade teams.

The other part of the facility is leased to the Forrest Park Playgroup. The term of the current lease expired in September 2006 and the playgroup is on a monthly lease reviewing until redevelopment is complete. The Playgroup currently pays \$146 per annum as part of the lease agreement.

Concept Plans

The latest concept plans have been prepared with input from the relevant stakeholders.

The Town's staff and architect have held meetings with the President of Perth Junior Soccer Club, the President of the Forrest Park Playgroup, representative from the Tuart Hill Cricket Club and the Child Health nurse from the Harold Street venue to obtain their input of their requirements for the venue.

The concept plans SK02 submitted identifies the new additions to the facility in cream shading, the existing building is coloured in the orange shading.

The new additions includes the new change room block with four change rooms ,a referee's room, new toilets and showers.

In addition, the Child Health clinic will move from its current location to form part of this facility. This has been added as a new addition.

A new store room and a new toilet will be added to the Playgroup area to accommodate it's requirement for additional store space and to meet Health requirements for the toilets.

The existing part of the building has been refurbished to create a clubroom facility which was a specific requirement of the Junior Soccer Club but it would be available for use by the Playgroup, when not utilised.

A larger Kiosk will now form part of the refurbished facility, it is proposed to relocate the current Parks and Reserve store/staff area to another venue as result of these proposed alterations.

Cost Estimate:

A detailed estimation will not be completed until the detailed drawings and specification have been finalised.

However initial estimates based on the concept plan are approximately \$300,000.

Child Health Clinic

As part of this concept it is proposed to relocate the Child Health Clinic currently located 84 Harold Street to this venue.

It is believed that this synergy between the Child Health clinic and the Playgroup which will be beneficial to both parties.

The Playgroup will be able to attract members from mothers attending the clinic. The Child Health clinic will be able to provide ongoing education and assistance to the Playgroup. It is anticipated that the waiting areas of the Child Health Clinic maybe utilised by the Playgroup when the Clinic is not open.

The current property certificate of title states that it is "portion of Perth Suburban Lot 146 and being Lot 44 on plan 692" is owned fee simple by the Town. The address for the property is 84 Harold Street; the dimensions of the lot are 193.1 x 60.6.

If approval was given to relocate the clinic to the Forrest Park venue. It would be recommended that consideration be given to the disposal of the property to assist in the funding of the Forrest Park project.

Forrest Park Playgroup.

The groups operate Monday to Friday and hires the venue out sometimes at the weekend for birthday parties.

There are currently 10 playgroup sessions per week for children from newborn up to five year old groups operating at this venue with approximately 85 families, members of the group.

The current area requires to be upgraded to meet the minimum Health requirements of the facility.

Perth Junior Soccer Club:

As mentioned in the Background part of the report the club has been having difficulty coping with the expanded numbers of playing at the club and the facilities that the Forrest Park Venue provide.

In discussions with the club they have advised that they would consider some financial and or in kind support to this project if consideration could be given to a lease agreement for the venue which would then provide the club with some kind of security of tenure at least for the period of the lease. Currently the clubs uses the venue as a seasonal hire user.

Forrest Park Cricket Club:

The club uses this reserve for it's lower grade teams and make minimal use of the facilities at the reserve.

These teams do not have a specific requirement for the use of the change rooms. The club uses the venue as a seasonal level.

CONSULTATION/ADVERTISING:

In accordance with the Community Consultation Policy, the concept plans should be advertised for 21 days public consultation.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with the Plan for the Future Strategic Plan 2006-2011;

“3.1 - Community Development

3.1.2 Deliver a range of leisure programs to encourage structured and unstructured recreation in the community”.

FINANCIAL/BUDGET IMPLICATIONS:

The Annual Budget 2007/08 has amount of \$255,000 allocated for the completion of this project..

COMMENTS:

The upgrade of this facility has been under consideration for a number of years with a number of plans being prepared but have not come to fruition due in the main to lack of funds for the proposals submitted.

However the requirement to upgrade the facility is critical the venue for the junior soccer teams is below accepted standards and similarly the playgroup facility requires an upgrade to meet regulatory requirements.

The proposed concept plan submitted will provide a well planned community and sport facility and in common held best practise will provide a multi-use facility for the community.

It is aimed to construct the new facility in time for the 2008 soccer season (i.e. April 2008).

It is therefore recommended that the plan be approved in principle so that the project can progress to the next stage.

10.4.2 Members Equity Stadium Committee Meeting held on 16 August 2007 - Receiving of Unconfirmed Minutes and Meeting with Minister for Sport and Recreation

Ward:	South	Date:	22 August 2007
Precinct:	Beaufort, P13	File Ref:	RES0082
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Unconfirmed Minutes of the Stadium Committee meeting held on 16 August 2007, as shown in Appendix 10.4.2;*
- (ii) *ACCEPTS the recommendations of the Stadium Committee;*
- (iii) *REQUESTS the Minister for Sport and Recreation to approve of essential Capital Improvements for Members Equity Stadium (MES), 310 Pier Street, Perth;*
- (iv) *AUTHORISES the Chief Executive Officer to prepare a submission to the Minister for Sport and Recreation for the Capital Improvements for Members Equity Stadium, as outlined in this report; and*
- (v) *NOTES the details of the meeting between the Town's Mayor, Chief Executive Officer and Minister for Sport and Recreation concerning major sports facilities, held on Friday 17 August 2007.*

COUNCIL DECISION ITEM 10.4.2

Moved Cr Ker, Seconded Cr Messina

That the recommendation be adopted.

MOTION PUT AND CARRIED (8-0)

(Cr Torre was an apology for the meeting)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the Members Equity Stadium Committee meeting held on 16 August 2007 and approve of a submission to the Minister for Sport and Recreation for essential capital improvements at Members Equity Stadium, 310 Pier Street, Perth.

BACKGROUND:

At the Ordinary Meeting of Council held on 14 September 2004, the Council considered the establishment of a Committee for the management of the Stadium (known as "Members Equity Stadium") and resolved inter alia as follows;

"That the Council APPROVES BY AN ABSOLUTE MAJORITY; ...

- (iii) *to delegate the following functions to the Committee;*
- (a) *to establish and review the Heads of Agreement (HOA) Key Performance Indicators (KPIs) in conjunction with Allia;*
 - (b) *to assess whether each proposed Licensing Agreement is consistent with the KPIs and the provisions of the HOA and to approve the proposed Licensing Agreement if it is consistent;*
 - (c) *to supervise the performance of the Services by Allia and to ensure that Allia performs the Services in accordance with the KPIs and the HOA;*
 - (d) *to receive and consider Performance Reports;*
 - (e) *to advise the Council on Capital Improvements required for the Stadium and to make recommendations to the Council about the use of the Reserve Fund;*
 - (f) *to review Naming Signage; and*
 - (g) *to review the Risk Management Plan;*

(For the purpose of avoidance of doubt, it is acknowledged that the Committee's functions do not include carrying out any of the Operational Management Services which are to be provided by Allia.)"

Heads of Agreement (HOA)

In April 2005, the Town received funding of \$500,000 via a Financial Assistance Grant from the State Government. The purpose of the funding was to carry out design for a rectangular stadium.

The Town has prepared a Masterplan for the future redevelopment of MES and this was submitted to the Major Stadia Taskforce. Costs of approximately * ~~\$50,000.00~~ \$168,102.00 were used for this purpose. The Town's Masterplan was not supported by the Major Stadia Taskforce.

* (Corrected at the meeting, due to further information received.)

The MES Stadium Committee has considered Capital Improvements for MES. Capital Improvements are defined in the Heads of Agreement (HOA) as;

"Capital Improvements means improvements of a fixed, permanent, and substantial character with respect to the stadium or parts of it (whether existing or proposed and whether structural or not) which comprise items of a capital nature and which do not comprise Repairs and Maintenance."

Under the HOA, the Stadium Manager (Allia Venue Management (Allia)) is response for all "Repairs and Maintenance". Repairs and Maintenance is defined as;

"Repairs and Maintenance means all work necessary to keep the Stadium (including all Capital Improvements made to the Stadium from time to time) in good repair and condition. Repair means the restoration of a thing to a condition it formerly had by the renewal or replacement of subsidiary parts of the whole and maintenance means to reserve and keep in good condition."

MES - Stage 1 Works

The Stage 1 works for MES provided the basic facilities for a rectangular stadium, due to budget constraints. As such, temporary stands were provided for the east stand (using an existing structure) and southern stand (using hired seating).

At the time of construction of Stage 1, the prime user of MES was soccer, with some use by rugby league. With the inclusion of rugby union into the international competition, a national cup series is now being played at MES. WARL have advised that they will enter the national competition in 2008 (i.e. WA Reds).

Perth Glory, Rugby WA and Western Australian Rugby League (WARL) have all signed a three year Deed of Licence (with three (3) year option) to play games at MES.

The following Capital Improvements are considered necessary;

Electrical Supply

The Stage 1 upgrade provided electrical services which comply with current standards. The electrical capacity was designed for the use at the time. However, increased electrical demand for catering vans, kitchen ovens (due to a change in caterer), television coverage (Foxtel), Sports Commentator facility (Foxtel), replay screen and sponsor signage have all occurred over the previous years.

The Town's electrical consultant advises as follows;

"The electrical data at the end of the original project is as follows;

1. Transformer power. *The maximum current draw recorded in February 2004 was 845A. The maximum current draw now is 911A. The maximum available from Western power at present is 1000A.*
2. Grandstand power. *The maximum current draw recorded in January 2004 was 220A. The electrician from GLS who attended the match against Sydney early in 2006 said the load was 'around 300A'. The maximum available to the Grandstand at present is 315A..*

The increase in load can in part be attributed to the Perth Glory offices now being used during matches (for cash counting, user meetings, security centre, etc.) and therefore the air conditioning is being used as well. The design intent was originally that the offices would not be used during matches.

We consider that the following items be implemented:

Interim Upgrade

- *Western Power upgrade the 630 Kva transformer to 1000Kva.*
- *Upgrade the switchboard main circuit breaker and mains cable to 1400A.*
- *Upgrade the supply to the Grandstand to 400A.*

We estimate the order of cost to be \$130,000 for the above works, which is considered the minimum required to upgrade the service to meet the current needs.

Recommend Upgrade

The existing Western Power 630 kva transformer is proposed to be replaced by 2 x 1000 kva transformers in the same location. This installation will remain a Western Power district sub-station as this type of electricity supply arrangement offers greater security of supply because Western Power will provide a ring main connection using 2 incoming cables so if one fails they can switch over to the other supply. Western Power estimate that a new transformer can be constructed within four months.

As this sub station will be the permanent supply point for the full development, consideration should be given to building a brick enclosure for the transformers and switch boards to provide long term protection against weather, dust and malicious damage. This will increase costs markedly, however we recommend this form of installation for the long term security of electrical supply.

A new switchboard will be installed which will contain additional circuit breakers with provision for future extensions.

The approximate cost for the permanent power upgrade is;

<i>Item</i>	<i>Order of Cost</i>
<i>New WPC sub station * (excluding building costs)</i>	<i>\$120,000</i>
<i>New Main switchboard and cables</i>	<i>\$80,000</i>
<i>New sub mains to Grandstand and internal distribution alterations</i>	<i>\$40,000</i>
<i>New sub mains to DBA and CBD8</i>	<i>\$20,000</i>
<i>New sub mains to CDB3</i>	<i>\$6,000</i>
<i>New sub mains to CDB1</i>	<i>\$3,000</i>
<i>New sub mains and distribution board to south toilet</i>	<i>\$8,000</i>
<i>New big screen supplies</i>	<i>\$3,000</i>
<i>Miscellaneous socket outlets</i>	<i>\$7,000</i>
<i>Pillar by gate 4</i>	<i>\$1,500</i>
<i>Foxtel outside broadcast van permanent supply</i>	<i>\$2,000</i>
<i>Contingency</i>	<i>\$10,000</i>
<i>Total</i>	<i>\$300,500</i>

(subject to quotation)"*

Use of Generators

The cost of rental and installation of a 120 kva generator is \$400 per unit per week - four are required (total \$1,600 per week).

The connection of generators 1 to 3 is quite straight forward provided the generators can be located close to the respective switchboard.

The connection of the Grandstand 1st floor kitchen distribution board is more difficult. The generator will need to be sited in the car park beneath the kitchen and temporary cables run up the building in order to access the switchboard. This will need co-ordination on site with a competent electrical contractor familiar with the building.

The use of temporary generators will be further investigated. The Town's Electrical Consultant advises that provided the current electrical supply is not exceeded, the power will not trip out. However, in hot weather it will be necessary to use air conditioning and electricity overload can be expected. Generators will therefore be required.

Cash Counting Room

This room is currently used as the Allia Chief Executive Officer's office and requires security grills to windows, solid door and panic button - *estimated cost \$5,000-6,250.*

Command Centre Upgrade

The current Command Centre in the grandstand is designed to hold two police officers plus computers, cameras, etc. It is used to monitor safety and security during an event. An increase in size to accommodate other emergency service personnel is required. This is recommended by the Police, FESA and the Health Department of Western Australia - *estimated cost \$20,000.*

Conversion of Chairman's Lounge to Multi Purpose Operations

The conversion of the existing Chairman's lounge to a multi purpose / operations area for coaches, players and licensees, has been deemed necessary as there is insufficient room elsewhere in the stadium. This work will require minor stud walls, electrical and data cabling to be provided - *estimated cost \$7,400.*

In addition, furniture and fittings are required at an additional cost of \$4,000.

Merchandise Store

The Stage 1 works originally included two merchandise stores in the buildings located on the Brewer Street and Pier Street frontages. These were converted to liquor outlets by Allia. A merchandising store is required and can be accommodated by converting the existing bin store area for this purpose. Works include the installation of walls, ceilings, shelving, with lighting and phone cabling - *estimated cost \$6,500.*

Sports Presentation Box

The Stage 1 works did not include a sports presentation box. However, with the new A-League competition, the Football Federation have engaged Foxtel to broadcast the games. A temporary box of approximately 5 metres x 4 metres, with associated electrical and phone installation, is required - *estimated cost \$38,000.*

Security Personnel Muster Room

A demountable room (6 x 5 metres) to be used as a muster room (i.e. security, event staff, Police, etc.) is required. This room is where they are briefed on operational matters. It is required for health and safety purposes.

Storage

Additional storage has been requested and it is proposed to purchase a 6 metre "seatainer" and for this be improved in appearance by external cladding - *estimated cost \$8,000.*

Summary of Capital Items

	\$	#
Electricity upgrade	300,500	#
Electricity upgrade – building	10,000	#
Command centre upgrade	20,000	
Multi-purpose operations room	7,500	
Merchandise store	6,500	
Cash counting room – security upgrade	6,000	
Additional storage room/container	8,000	
Sports presentation box	38,000	
Security personnel muster room	20,000	
	\$416,000	

Interim upgrade \$130,000 (## alternative total: \$236,000)

Other Works Identified

Repairs to Grandstand fretting brickwork	Total Works	\$130,000
Repairs to Grandstand fretting brickwork	Minor Repairs	\$1,500

Meeting with Minister for Sport and Recreation

On 17 August 2007, the Mayor and Chief Executive Officer met with the Minister for Sport and Recreation (at the Minister's request). Present also at the meeting was the Director General, Department of Sport and Recreation (DSR) and the Director, Facilities Management (DSR).

The following was discussed at the meeting:

State Gymnastics Centre / Loftus Centre Redevelopment

The Town provided a progress report to the Minister concerning the project, including costings and timings.

Medibank Stadium (Leederville Oval)

The Town provided a report to the Minister concerning the recent Media Box works and the proposed Public Open Space and Eastern Banks works.

Beatty Park Leisure Centre

The Town provided background information concerning the Centre and the Town's proposal to prepare concept plans for the upgrade of this ageing facility. The Minister was advised that the Town will be submitting a formal request for a minimum of \$5 million funding for Beatty Park (which is considered a regional facility), once the Council has approved of the redevelopment concept plans (due in late 2007/early 2008).

Members Equity Stadium

The Minister advised that the Department of Sport and Recreation will be liaising with the Town concerning the future of the Rectangular Stadium, the need to adopt a medium term strategy concerning upgrade works and a long term strategy, including a governance model, as detailed in the Major Stadia Taskforce Report recommendations, were discussed.

The Town requested the Minister to approve the necessary capital items required for the Stadium. The Minister was very supportive and requested the Town to make a submission. The Town suggested that the monies currently in the Perth Oval, Stage 2 Reserve Fund (\$401,279) be re-allocated for this purpose.

Major Stadia

The Minister advised that;

1. the Government's preferred position is for a new Stadium to be built at either East Perth (Power Station site) or Kitchener Park (Subiaco);
2. the proposal by the WA Football Commission for the redevelopment of the existing Subiaco Oval is not supported by the State Government;
3. the Department of Sport and Recreation and WA Football Commission have been requested to further explore the financial considerations of a new Stadium;
4. the Federal Government (and the Opposition) has been approached to provide funding for the new Stadium - as this is opportunistic with the forthcoming federal election;
5. the Australian Football Commission (AFL) has been informed of the State Government's position; and
6. the timing for the selection of a preferred site is dependent on the outcomes of Nos 3 and 4, above.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act Regulations 1996 requires that Committee Meeting Minutes be reported to the Council.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011 - "*Leadership, Governance and Management*", in particular, Objective 4.1.2 - "*Manage the Organisation in a responsible, efficient and accountable manner.*"

FINANCIAL/BUDGET IMPLICATIONS:

As at 30 June 2007, the Perth Oval Stage 2 Reserve Fund contained an amount of * ~~\$566,039~~ \$401,279 and the Perth Oval Reserve Fund contained an amount of \$331,355.

* (Corrected, due to further information received at the meeting.)

The 2007/08 Budget contains an amount of \$5,000 for General Maintenance and \$6,000 for building maintenance.

COMMENTS:

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

As the Capital Items referred to in the report relate to essential Stadium requirements, it is appropriate for the Town to make a submission to the Minister for Sport and Recreation for these works to be paid by the State Government and the monies currently held by the Town in the Perth Oval Stage 2 Reserve Fund be re-allocated for this purposes.

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

12.1 WALGA Nominations – Standards Panel; Heritage Council of Western Australia; WALGA Finance and Services Committee; Local Health Authorities Analytical Committee; Restricted Access Vehicle (RAV) Class 2/3 Period Permit User Group; WA Child Care Industry Liaison Forum

Ward:	-	Date:	22 August 2007
Precinct:	-	File Ref:	ORG0045
Attachments:	001		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) _____ *be nominated as WALGA Member - Standards Panel (Ministerial Appointment - Panel of nine (9) Names required);*
- (ii) _____ *be nominated as WALGA Member - Heritage Council of Western Australia (Panel of 3 Names) (Approval by Minister);*
- (iii) _____ *be nominated as WALGA Member - WALGA Finance & Services Committee (Serving Officer);*
- (iv) _____ *be nominated as WALGA Metropolitan Member - Local Health Authorities Analytical Committee (Panel of 3 Names) (Ministerial Approval);*
- (v) _____ *be nominated as WALGA Member - Restricted Access Vehicle (RAV) Class 2/3 Period Permit User Group; and*
- (vi) _____ *be nominated as WALGA Member - WA Child Care Industry Liaison Forum.*

COUNCIL DECISION ITEM 12.1

The Presiding Member called for nominations and Cr Farrell nominated for the WALGA Member of the WA Child Care Industry Liaison Forum and Mr Boardman nominated for the Heritage Council of Western Australia.

Moved Cr Ker, Seconded Cr Doran-Wu

That the nominations as received be approved as follows:

That:

- (i) *Mr Boardman be nominated as WALGA Member – Heritage Council of Western Australia (Panel of 3 names) (Approval by Minister); and*
- (ii) *Cr Farrell be nominated as WALGA Member – WA Child Care Industry Liaison Forum;*

CARRIED (8-0)

(Cr Torre was an apology for the meeting)

DETAILS:

Please see Appendix 12.1 for details.

N.B.:

NOMINATIONS CLOSE COB FRIDAY 14 SEPTEMBER 2007

13. URGENT BUSINESS

13.1 URGENT BUSINESS: Acting Member Mindarie Regional Council

Ward:	-	Date:	28 August 2007
Precinct:	-	File Ref:	ORG0054
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY the appointment of Councillor Steed Farrell to be its Member for the Mindarie Regional Council Special Meeting of Council to be held on 29 August 2007, due to the unavailability of the Mayor Nick Catania.

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

AMENDMENT

Moved Cr Doran-Wu, Seconded Cr Farrell

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

“(ii) REQUESTS the Mindarie Regional Council to provide a Briefing Session to the Town of Vincent prior to the decision being made on the Member Council guarantee.”

AMENDMENT PUT AND CARRIED (8-0)
MOTION AS AMENDED PUT AND CARRIED (8-0)
BY AN ABSOLUTE MAJORITY

(Cr Torre was an apology for the meeting)

COUNCIL DECISION ITEM 13.1

That the Council;

- (i) APPROVES BY AN ABSOLUTE MAJORITY the appointment of Councillor Steed Farrell to be its Member for the Mindarie Regional Council Special Meeting of Council to be held on 29 August 2007, due to the unavailability of the Mayor Nick Catania; and*
- (ii) REQUESTS the Mindarie Regional Council to provide a Briefing Session to the Town of Vincent prior to the decision being made on the Member Council guarantee.*

PURPOSE OF REPORT:

For the Council to appoint an Acting Member to the Mindarie Regional Council, due to the unavailability of its normal Member, Mayor Nick Catania, who is unable to attend the Special Meeting of Council to be held on 29 August 2007.

BACKGROUND:

The Town has previously received advice that the Local Government Act 1995 does not contain any provision to appoint a Deputy Member to be its Member on a Regional Council. However, it may appoint an alternative Member if the regular Member is unable to attend the meeting. Mayor Catania is unable to attend due to an important previous commitment.

A Special Meeting of Council has been called for 29 August 2007 to consider important decisions relating to the Resource Recovery Facility (RRF) and it is important for the Town be represented at the Meeting.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

Section 52(1) and (2) of the Interpretation Act confers power to appoint a person to a position including an Acting Appointment. The Local Government Act is deficient as it does not allow the appointment of a Deputy Member and an urgent amendment is currently being considered.

Notwithstanding the decisions which will be made at the Special Meeting of the Mindarie Regional Council (MRC) to be held on 29 August 2007, the Town has been advised that as there has been significant material changes to the Contract, the Council will be required to further consider and approve of its Guarantee - which will be used in the event of default by the MRC. This Guarantee must be approved by each Member Council no later than 20 September 2007, otherwise the Contractor and/or their Financiers have the ability to terminate the proposed Contract.

The MRC has expended approximately \$5 million to date on the RRF and therefore has made a substantial commitment to this Project. Should the RRF not proceed, a substantial amount of these monies would be unrecoverable.

It is proposed to arrange for a report and/or a special Briefing to be made to the Council prior to a decision being made on the Guarantee.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011, Key Objective 4.1 - *"Provide good strategic decision making, leadership and professional management."*

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

As Council has been previously advised, the Mindarie Regional Council has been considering its RRF Project for some considerable period of time and is now at a critical stage of making important decisions, which involve its Member Councils. These decisions will have long term financial and, more importantly, Guarantee obligations should there be a default with the recommended Contractor.

It is therefore important that the Town be properly represented at this Meeting.

At 9.12pm Cr Farrell departed the meeting and did not return as he was feeling unwell.

Moved Cr Ker, Seconded Cr Messina

That the Council proceed behind closed doors to consider the Confidential items.

PROCEDURAL MOTION PUT AND CARRIED (7-0)

(Cr Torre as an apology for the meeting. Cr Farrell had departed the meeting.)

14.1 CONFIDENTIAL REPORT - Adding/Deleting/Amending Places Listed on the Municipal Heritage Inventory (MHI) Quarterly Report: 1 April 2007 - 30 June 2007

Ward:	Both Wards	Date:	17 August 2007
Precinct:	All Precincts	File Ref:	PLA 0098
Attachments:	-		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to Adding/Deleting/Amending Places Listed on the Town's Municipal Heritage Inventory (MHI) Quarterly Report: 1 April 2007 to 30 June 2007;*
- (ii) *ADVERTISES for public comment in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI) the following proposed amendments to the Town's Municipal Heritage Inventory:*
 - (a) *DELETE No. 180 (Lot 15) Vincent Street, North Perth from the MHI;*
 - (b) *DELETE No. 182 (Lot 16) Vincent Street, North Perth from the MHI;*
 - (c) *DELETE No. 184 (Lot 17) Vincent Street, North Perth from the MHI;*
 - (d) *DELETE No. 186 (Lot 18) Vincent Street, North Perth from the MHI; and*
- (iii) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the proposed amendments to the Town's Municipal Heritage Inventory having regard to any written submissions; and*
 - (b) *DETERMINES the proposed amendments to the Town's Municipal Heritage Inventory.*

COUNCIL DECISION ITEM 14.1

Moved Cr Lake, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (4-3)

For

Mayor Catania
Cr Doran-Wu
Cr Maier
Cr Messina

Against

Cr Chester
Cr Ker
Cr Lake

(Cr Torre was an apology for the meeting)
(Cr Farrell had departed the meeting due to illness)

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

PURPOSE OF REPORT:

The purpose of this report is to seek authorisation to commence the advertising of the proposed amendments to the Town's Municipal Heritage Inventory in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI).

BACKGROUND:

The Council at its Ordinary Meeting held on 27 January 2006 resolved to adopt the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI).

In accordance with section 45 of the Heritage of Western Australia Act 1990, a review was recently undertaken of the Town's Municipal Heritage Inventory (MHI). The review process involved a community consultation period being undertaken from 21 June to 31 August 2006. A series of Council Meetings were held over a six month period in 2006 and 2007 in which the proposed amendments were considered at the Council, concluding with a Special Meeting of Council held on 3 April 2007.

At the conclusion of the review of the Town's Municipal Heritage Inventory, all further proposed amendments to the Town's Municipal Heritage Inventory are to be considered in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI) on a quarterly basis. A Quarterly Report for the period of 1 January - 31 March 2007 was considered at the Ordinary Meetings of Council held on 25 April 2007 for advertising and 12 June 2007 for finalisation of the amendments.

DETAILS:

The key objectives of the Town's Policy relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI) are to:

- 1) Provide a procedure for adding, deleting or amending entries on the Town of Vincent's Municipal Heritage Inventory.
- 2) Ensure places are added, deleted or amended from the Town of Vincent Municipal Heritage Inventory following due process.
- 3) Ensure that decisions for adding, deleting or amending places on the Town of Vincent's Municipal Heritage Inventory are based on consideration of the cultural heritage significance of the place.

In accordance with the Town's Policy No. 3.6.5 summarised above, Heritage Assessments have been undertaken on the places at No. 182 Vincent Street, North Perth at the request of the owner to remove the place from the Town's Municipal Heritage Inventory. As the dwelling formed part of a group with the dwellings at Nos. 180, 184 and 186, a full Heritage Assessment has been undertaken on all four properties. A summary of the four properties and the Town's Officer actions and recommendations are detailed below:

No. 180 Vincent Street, North Perth

- Single storey brick and iron dwelling constructed c1912 in the Federation Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006, the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.
- External site visit undertaken of subject property on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 7 August 2007. A copy of the draft Heritage Assessment forms an attachment to this report.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

No. 182 Vincent Street, North Perth

- Single storey brick and iron dwelling constructed c1912 in the Federation Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006, the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.

- Owner submitted an Application for Deletion Form on 30 November 2007. The grounds on which the owner considers that the property be deleted from the Town's Municipal Heritage Inventory are *'The house look[s] very ugly and [is] nothing special for the value of heritage - this house is only mak[ing] the street look poor'*.
- External site visit of subject property undertaken on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 7 August 2007. A copy of the draft Heritage Assessment forms an attachment to this report.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

No. 184 Vincent Street, North Perth

- Single storey brick and tile dwelling constructed c1927 in the Inter-War Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006 the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.
- External site visit undertaken of subject property on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 3 August 2007. A copy of the draft Heritage Assessment forms an attachment to this report.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

No. 186 Vincent Street, North Perth

- Single storey brick and tile dwelling constructed c1927 in the Inter-War Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006, the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.

- External site visit undertaken of subject property on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 3 August 2007. A copy of the draft Heritage Assessment forms an attachment to this report.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

CONSULTATION/ADVERTISING:

Any proposed amendments to the Town's Municipal Heritage Inventory are to be advertised in accordance with Clause 3 of the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENTS:

In light of the above, it is recommended that the Council receives and advertises the proposed amendments to the Town's Municipal Heritage Inventory, in line with the Officer Recommendation.

14.2 CONFIDENTIAL REPORT – No. 6 (Lot 22 D/P: 167) London Street, Corner Haynes Street and Scarborough Beach Road, North Perth - Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal (SAT) Review Matter No. DR 209 of 2007

Ward:	North	Date:	22 August 2007
Precinct:	North Perth; P8	File Ref:	PRO3010; 5.2006.60.1
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That ;

- (i) *the Council RECEIVES the report relating to No. 6 (Lot 22 D/P: 167) London Street, corner Haynes Street and Scarborough Beach Road, North Perth, for Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal Review Matter No. DR 209 of 2007;*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council RESOLVES BY AN ABSOLUTE MAJORITY TO SUPPORT as part of the State Administrative Tribunal Review Matter No. DR 209 of 2007 for the Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings at No. 6 (Lot 22 D/P: 167) London Street, corner Haynes Street and Scarborough Beach Road, North Perth, and as shown on plans stamp-dated 16 August 2007, subject to the following conditions:*
 - (a) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
 - (b) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town’s Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (c) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
 - (d) *in keeping with the Town’s practice for multiple dwellings, commercial, retail and similar developments, the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town’s specification. A refundable footpath upgrading bond and/or bank guarantee of \$1,400 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town’s Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*

(e) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*

- (1) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
- (2) *the Town of Vincent will not issue a owner or visitor residential car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

(f) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the London Street and the Haynes Street boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*

- (1) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
- (2) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
- (3) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (4) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (5) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
- (6) *the solid portion adjacent to the London Street boundary from the above truncation(s) can increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;*

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

- (g) 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;*
- (h) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (i) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the London and Haynes Streets verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (j) prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained;*
- (k) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town. All tandem car bays are to be allocated for a specific multiple dwelling;*
- (l) the proposed vehicular gate for the development being a minimum 50 percent visually permeable when viewed from Haynes Street; and*
- (m) prior to the issue of the Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (1) a 3 metres by 3 metres truncation being provided at the south west corner of the site;*
 - (2) the finished ground floor level being 300 millimetres above the existing crown of the adjacent roads;*
 - (3) the bin area being roofed and consistent with the main building; in terms of materials and colours;*
 - (4) balcony of unit 5 facing the northern side being screened with a permanent obscure glazing and be non-openable to a minimum of 1.6 metres above the finished floor levels preventing direct sight within the cone of vision to ground level of adjoining properties. A permanent obscure material does not include a self-adhesive material or other material that is easily removed, OR alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of the property at No. 8 London Street, North Perth, stating no objections to the proposed privacy encroachment; and*

(5) *the western visitor car bay being a minimum width of 2.7 metres.*

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

(iii) *the Council ADVISES the State Administrative Tribunal that the nature of the changes proposed in the revised plans dated 16 August 2007 are considered a substantial change from the original plans refused by the Council at its Ordinary Meeting held on 8 May 2007 and on that basis a new planing application including the full payment of planning application fess should be submitted to the Town.*

COUNCIL DECISION ITEM 14.2

Moved Cr Messina, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST (4-3)

Reason:

No ABSOLUTE MAJORITY vote was received.

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

(Cr Torre was an apology for the meeting)
(Cr Farrell had departed the meeting due to illness)

At 9.25pm **Moved Cr Ker, Seconded Cr Doran-Wu**

That an "open" meeting be resumed.

CARRIED (7-0)

(Cr Torre was an apology for the meeting)
(Cr Farrell had departed the meeting due to illness)

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

PURPOSE OF REPORT:

- To update the Council of the progress in relation to the above review application, including the Orders issued by SAT as a result of the mediation held on 16 July 2007 regarding the revised plans to be considered on or before 14 August 2007, and that the matter has been adjourned to 4 September 2007.
- To advise that the revised plans dated 24 July 2007 were advertised for a period of 14 days commencing from 2 August until 16 August 2007. Further revised plans dated 16 August 2007 have been received.
- Reporting to the Council the details of the submissions received and the further recommendation of the Town's Officers.

Landowner:	Nicotra Developments Pty Ltd
Applicant:	Allerding and Associates for the Review Matter
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Unoccupied Building
Use Class:	Multiple Dwelling
Use Classification:	"P"
Lot Area:	2023 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

- 23 August 2005 The Council at its Ordinary Meeting resolved to conditionally approve the demolition of existing showroom and outbuilding, but refused the construction of three-storey mixed use development comprising eight (8) multiple dwellings, eating house, offices, shops and associated basement car parking, at No. 6 (Lot 22) London Street, corner Haynes Street and Scarborough Beach Road, North Perth.
- 28 February 2006 The Council at its Ordinary Meeting resolved not to acknowledge the showroom and open air display area as a non-conforming use and refused the application for the retention of non-conforming use as showroom/open air display, at No.6 (Lot 22) London Street, North Perth.
- 22 August 2006 The Council at its Ordinary Meeting considered a confidential report relating to the retention of non-conforming use as showroom/open air display - as part of a review matter to the State Administrative Tribunal - Review Matter No. DR 626 of 2005 at No. 6 (Lot 22) London Street, North Perth.
- 15 September 2006 The applicant in the review matter DR 626 of 2005 advised the Town that the review matter relating to the retention of non-conforming use as showroom/open air display at No. 6 (Lot 22) London Street, corner Haynes Street and Scarborough Beach Road, North Perth will not continue. As the showroom and air display has not operated for more than 6 months at the above site, the showroom and open air display is no longer a valid non-conforming use.
- 8 May 2007 The Council at its Ordinary Meeting resolved to refuse an application for proposed demolition of existing buildings and the construction of a three-storey development comprising 12 multiple dwellings at the subject property for the following reasons:
- "1. Insufficient justification for the variations sought and the application of Clause 40 in terms of the proposed density bonus.
2. Consideration of objections received from the local residents.
3. Inappropriate bulk and scale compared to nearby development."*
- 1 June 2007 Application lodged with the State Administrative Tribunal to review the Council's decision.
- 15 June 2007 Directions Hearing held at SAT.

- 28 June 2007 Mediation held at SAT. The applicants/owners were preparing revised plans prior to the further mediation on 16 July 2007 addressing the reasons of the Council's refusal at its Ordinary Meeting held on 8 May 2007.
- 10 July 2007 The Council at its Ordinary Meeting resolved as follows:
- "That;*
- (i) *the Council RECEIVES the report relating to No. 6 (Lot 22 D/P: 167) London Street, corner Haynes Street and Scarborough Beach Road, North Perth - Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal Review Matter No. DR 209 of 2007;*
- (ii) *ADVISES the North Perth Precinct Group and those who made submissions of the above review matter."*
- 16 July 2007 At the mediation, SAT invited the Town under Section 31 of the State Administrative Tribunal Act 2004 (WA) to reconsider the revised plans on or before 14 August 2007, and that the matter be adjourned to 4 September 2007.
- 14 August 2007 The Council at its Ordinary Meeting considered a Confidential Report relating to proposed demolition of existing buildings and the construction of a three-storey development comprising 12 multiple dwellings - State Administrative Tribunal (SAT) Review Matter No. DR 209 of 2007, and resolved as follows:
- "That the Council;*
- (i) *RECEIVES the report relating to No. 6 (Lot 22 D/P: 167) London Street, corner Haynes Street and Scarborough Beach Road, North Perth - Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal (SAT) Review Matter No. DR 209 of 2007; and*
- (ii) *ADVISES SAT that the revised plans dated 24 July 2007 have been advertised to the adjacent community for a period of 14 days, which closes on 16 August 2007, and will be reported back to the Ordinary Meeting of Council on 28 August 2007 for further consideration by the Council."*
- 4 September 2007 Further mediation to be held at SAT.

DETAILS:

The current proposal involves demolition of existing buildings and the construction of a three-storey development comprising 12 multiple dwellings at the subject property. It is to be noted that the date of the revised plans advertised should be 24 July 2007, and not 27 July 2007, as inadvertently stated in the advertising letters.

Furthermore, additional revised plans dated 16 August 2007 have been submitted, indicating the addition of a bin storage area (attached and shown clouded). The other main differences are as stated in the Agenda Report to the Ordinary Meeting of Council held on 14 August 2007 as follows:

- additional visitor car bays have been provided;
- Unit 12 adjacent to the eastern boundary on the previously refused second floor plan has been renumbered as Unit 5 and relocated adjacent to the northern boundary on the current first floor plan dated 16 August 2007 (shown clouded). This has resulted in the number of units being reduced from 3 to 2 on the second floor; and
- the overall height being 10 metres from natural ground level is now compliant.

The applicant's response dated 24 July 2007 to the reasons for the refusal by the Council at its Ordinary Meeting held on 8 May 2007 is attached. A summary of the applicant's response is as follows:

- Believes that the revised plans addresses the concerns held by some Councillors.
- A unit that had been located on the rear eastern elevation has been relocated to the London Street frontage.
- Additional car parking is proposed, being a total of 27 car bays, of which 3 are visitor's car bays and is now complying.
- Setbacks have been revised.
- The site is in a locality with few opportunities for a higher density development. Is well located at a significant traffic junction, on a major transport route as well as in terms of social and community facilities.
- The dwellings are well designed, which allows for privacy, while not compromising the streetscape or adversely affecting the neighbouring properties, with minor exceptions conform to the R Codes.
- *"The increase in density for this site must be viewed within the context of a wider reduction in residential density that has occurred across the North Perth Precinct."*

ASSESSMENT:

Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density/Number of Dwellings	R30 - 6.64 grouped dwellings. R40- 8.1 multiple dwellings.	R59.31 - 12 multiple dwellings (Density bonus of 48.29 per cent in terms of R40 and 77.9 per cent under the R30).	Supported – as the development is consistent with the objectives of Clause 40 of TPS 1, in terms of enhancing the amenity of the area, with the demolition of the existing non-residential buildings, and consistent with proper and orderly planning of the locality. The scale of the development is considered consistent with recently approved developments that are currently being constructed along Scarborough Beach

			Road. The proposal also gives prominence to this strategically located corner site. The site is considered a suitable development opportunity site in terms of location and size for an appropriate higher density development, which will assist in the continued down coding of the Eton Locality.
Plot Ratio	0.60 or 1213 square metres.	0.682 or 1380 squares metres.	Supported – as the increase in density directly results in the increased plot ratio. The variation is still considered not to result in an undue impact on the amenity of the area with the revised reconfiguration of the units.
Open space	50 per cent or 1011.5 square metres.	48.74 per cent or 986.06 square metres.	Supported - as the site is quite a large size by comparison to the adjoining lots within close proximity. The variation is partly due to the requirement to provide for a bin store. The variation will not unduly affect the amenity of the area or the living amenity of residents within the site.
No. of Storeys	2 storeys plus loft.	3 storeys.	Supported – no undue impact on streetscape or amenity of immediate locality and compatible with similar scale development in the immediate locality along Scarborough Beach Road, such as at the corner of Dunedin Street, which is currently under construction.
Height of Building	10 metres.	9.998 metres.	Noted - as within the height limit for a three storey building.

Building Setbacks: Ground floor-north elevation.	1.5 metres	1.398 to 5.9 metres	Supported - as the variation is not considered to have an undue impact on the affected neighbours. Supported - as above.	
Ground floor stores-north elevation.	1.0 metre	Nil		
First floor-north elevation.	4.7 metres	1.39 to 6.4 metres		Supported - as above
First floor-south/Haynes Street elevation.	6 metres	3.384 to 9.6 metres		Supported - as above
First floor-west/London Street elevation	6 metres	5.2 to 12.3 metres		Supported - as above
Second floor-south/Haynes Street elevation	6 metres	2.91-7.5 metres	Supported - as above	
Second floor-west/London Street elevation	6 metres	5.2 to 12.3 metres	Supported - as above	
Privacy Setbacks	Outdoor Habitable Areas - 7.5 metres	Balcony of unit 5 on first floor- 5.9 metres to northern boundary	Not supported - as undue impact on affected neighbours, and a condition has been recommended for compliance.	

Consultation Submissions

Support (3)	<ul style="list-style-type: none"> • Appropriate site for density bonus. • The setback and height of building are also supported. • Believe that the corner of Scarborough Beach Road and Haynes Street needs to be “activated” with new development to address the streets well. • The balconies and varied patterns will improve the scale and pedestrian environment which is currently unfriendly and “barren”. • Suggestion if at least some residential units be provided with one carbay to reduce car dependence and reduce local traffic, as this site is well serviced by public transport. 	Noted and supported.
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<p>Objections (8)</p>	<ul style="list-style-type: none"> The increase in density from R30/40 to R60 is not supported as it is considered too generous. The proposed bonus of 50 per cent is larger than allowable for the above site. If approved would set a “nasty” precedent for the adjoining non-conforming uses that front onto Haynes and Auckland Streets, which would be very difficult to reject. It would also be near to impossible to defend an appeal if lodged with the State Administrative Tribunal in that instance. 	<p>Not supported - for the reasons provided in the above Non-Compliance Table. As such, clause 20 is not applicable in this instance, and the bonus requested is to be considered under Clause 40 of TPS No.1, which requires approval/support by an "Absolute Majority" of the Council. Furthermore, each development is assessed on individual merit.</p>
	<ul style="list-style-type: none"> Density/number of dwellings - Understanding is that the Council has previously approved the demolition of the existing building on this site. As the site is currently zoned R30/40, does this not mean that once demolition takes place then the R30 zoning will apply to this development application. If so, then only 6.64 grouped dwellings are permitted. We also query whether R30 allows for multiply dwellings? To approve 12 units as the DA requests is to allow a density bonus of over 80 per cent. The Eton Street Precinct recently voted overwhelmingly against an increase in density of this area, which was fully supported by the Council. The proposal is not considered as good urban planning, considered as urban destruction, with no vision of the future. Result in a negative quality of life and residential amenity, as part of the property backs onto “my” property. Safe to say that not one Councillor would want such a 3 storey development peering into the privacy of their backyard. The proposal is based on “greed” at the expense of long term residents. Not against development, but against unsympathetic and inappropriate development, and seeks Council’s protection for long term residents against unscrupulous developers. 	<p>Not supported - as in areas coded R30/40, development will be permitted under the R40, if the existing house is to be retained. The density bonus under the R30 is 77.9 per cent and under the R40 density is 48.29 per cent. The variation is supported for the reasons provided in the above Non-Compliance Table.</p> <p>Noted. The above site is within the Eton Locality Plan, but is not one of the lots down coded to R20.</p> <p>Not supported - as the above site is considered an appropriate location for a suitable high density development, being a corner site and its strategic location.</p> <p>Not supported - as the development has been articulated in such a manner that it faces the street, with the upper floors closer to the London Street and Haynes Street frontages.</p> <p>Not supported - as this is not a valid consideration.</p> <p>Noted.</p>

	<ul style="list-style-type: none"> All that ratepayers and members of the North Perth Precinct Group ask is that the "Rules" as clearly set down by the R Codes be applied and enforced to this development as in any other development within the Town of Vincent. 	<p>Not supported- as the R Codes' performance criteria have been considered to be complied with in this instance.</p>
	<ul style="list-style-type: none"> Overall height should be 10 metres for any part of the development. Car parking provided for the proposal is totally inadequate. Inadequate parking along Haynes Street, due to overflow of vehicles generated from the 3 businesses along Haynes Street. The visual impact of height, bulk and scale in an area where a majority of dwellings are single storey and results in an adverse impact. The development is neither sympathetic nor sensitive to the area. The building is overbearing and intrusive in height. Also results in a sense of confinement at the rear of our property kitchen window and garden. Interrupts the existing streetscape. Intrusion of privacy. Three storey and the setback variations are not supported and should comply with the relevant standard. The residents against this proposal were never given enough time to put their position to Council, some due to work commitments that result is some people being weeks away at a time. 	<p>Supported - as the overall height is 10 metres from natural ground level. It is to be noted however that this height may have to be increased to accommodate a minimum 300 millimetres in the finished ground floor level above the existing crown of the adjacent road, for the reasons stated in the "Comments" section.</p> <p>Not supported - as the car parking has been provided as per the requirements in the R Codes.</p> <p>Not supported - for the reasons provided in the above Non-Compliance Table.</p> <p>Not supported - as the proposal is considered to achieve the desired streetscape for this corner site area.</p> <p>Supported-as a condition to ensure the privacy requirements is complied for Unit 5 has been imposed.</p> <p>Not supported - for the reasons provided in the above Non-Compliance Table.</p> <p>Noted-as the Council is required within a limited time frame to respond to SAT. This time frame is applicable to all neighbours.</p>

	<ul style="list-style-type: none">Concern of noise from 12 air-conditioners.	Noted - as the noise levels are governed by the relevant provisions in the Noise Regulations of the Environmental Protection Act.
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* The representative R Coding and density bonus calculations are provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

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

CONSULTATION/ADVERTISING:

Not required.

LEGAL/POLICY:

Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town's Policy No. 4.1.25 - Procedure For State Administrative Tribunal.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The Town's Officers have attended to all the SAT dealings to-date. The Town has, however, secured the services of Mr Simon Bain, Town Planning Consultant to represent the Town in this matter if required.

COMMENTS:

Demolition

Details relating to the demolition of the existing buildings on-site reported to the Ordinary Meeting of Council held on 8 May 2007 remain unchanged, and is as follows in verbatim:

"A full heritage assessment is not considered appropriate for the proposed demolition of the Midland Brick showroom and outbuilding located on the corner of London Street and Scarborough Beach Road.

The City of Perth Sewerage Plans indicates that in 1924 the site, which now occupies the subject place, had not yet been developed. The City of Perth Building Archive Records show that a garage and storeroom was constructed at No.6 London Street in 1955 and the Midlands Brick Company was issued with a Building Licence to construct the showroom and office in 1974.

The place is considered to be of little aesthetic, historic, scientific or social value 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 buildings, subject to standard conditions."

Section's Comments

The Town's Building Services have advised some of the window openings and exit distances are non-compliant with the relevant Building Code of Australia requirements, which can be addressed at the Building Licence stage.

The Town's Health Services have advised that the bin areas are required to be located a minimum of 6 metres from any residence. The nearest residence not on the subject site is No. 5 Auckland Street. This residence is located more than 6 metres from the fence line with No. 6 London Street. This bin area is also greater than 6 metres from the proposed dwellings on-site. On the above basis, the bin area complies. It is also recommended that enclosures be roofed consistent with the main building for aesthetic and streetscape purposes and for odour control reasons.

The Town's Technical Services have advised that as this area falls in the Town's potential 'flood zone' areas, that revised plans be submitted to demonstrate that the finished ground floor level is 300 millimetres above the existing crown of the adjacent roads, and for the western visitor car bay to be a minimum width of 2.7 metres.

Summary

The proposal is considered to represent an appropriate residential development at the above site. Accordingly, it is recommended that the demolition of the buildings on-site and the revised redevelopment proposal be supported, subject to standard and appropriate conditions to address the above matters.

At 9.25 pm Moved Cr Ker, Seconded Cr Doran-Wu

That an "open meeting" be resumed.

PROCEDURAL MOTION PUT AND CARRIED (7-0)

(Cr Torre was an apology for the meeting. Cr Farrell had departed the meeting due to illness.)

15. CLOSURE

The Presiding Member, Mayor Catania, declared the meeting closed at 9.10pm with the following persons present:

Mayor Catania	
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director, Technical Services

No media representatives or members of the public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 28 August 2007.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2007