



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

28 FEBRUARY 2012

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INDEX (28 FEBRUARY 2012)

ITEM	REPORT DESCRIPTION	PAGE
9.1 PLANNING SERVICES		
9.1.1	No. 38 (Lot 810; D/P: 65998) Kadina Street, North Perth – Proposed Amendment to Approved Two-Storey Single House and Undercroft Garage (Retrospective Application) (PRO5159; 5.2011.609.2)	11
9.1.2	No. 59 (Lot 4) Bulwer Street, Perth – Proposed Change of Use from Shop (Garden Centre) and Open Air Display Area to Vehicle Sales Premises (PRO0780; 5.2011.616.1)	48
9.1.3	Nos. 215-229 (Shop No. 219) (Lot 1; D/P: 384) Bulwer Street, Perth – Proposed Change of Use from Eating House to Unlisted Use (Small Bar) (PRO0979; 5.2011.561.1)	52
9.1.4	Nos. 511-513 (Lot 25; D/P: 672) Beaufort Street, Highgate – Proposed Alterations and Additions to Existing Small Bar Including an Increase in Patron Numbers (PRO0261; 5.2012.36.1)	15
9.1.5	No. 158 (Lot: 16; D/P: 972) Bulwer Street, Perth – Proposed Change of Use from Residential to Unlisted Use (Car Wash) (PRO0163; 5.2011.453.2)	8
9.1.6	No. 20/1 (Lot 500; D/P: 47392) Dunedin Street, Mount Hawthorn – Proposed Change of Use from Residential to Unlisted Use (Short Term Accommodation) (PRO5629; 5.2011.629.1)	57
9.1.7	Further Report – Amendment No. 79 to Planning and Building Policies – Policy No. 3.5.6 relating to Telecommunication Facilities (PLA0001)	61
9.1.8	Amendment No. 88 to Planning and Building Policies – Policy No. 3.1.5 relating to Cleaver Precinct – Scheme Map 5 (PLA0237)	19
9.1.9	Amendment No. 92 to Planning and Building Policies – Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage and No. 3.6.5 Relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) (PLA0238)	78
9.1.10	Amendments to the Municipal Heritage Inventory (MHI) – No. 590 (Lots 12 and 118; D/P: 27710) Newcastle Street, West Perth (PRO4506; PLA0098)	23
9.1.11	Car Parking Strategy Implementation Plan 2010-2018 – Progress Report No. 2 (PLA0084)	78
9.2 TECHNICAL SERVICES		
9.2.1	Proposed 'Stage 1' Enhancement Works in Beaufort Street, Mount Lawley/Highgate – Further Report (TES0067 & TES0237)	92
9.2.2	Proposed Additional 'On-Road' Parking in Mt Lawley, Highgate and Leederville – Further Report [Absolute Majority Decision Required] (PKG0001 & PLA0084)	97
9.2.3	Forrest Park and Surrounding Parks – Current and Proposed Future Use – Further Report (RES0003)	64
9.3 CORPORATE SERVICES		
9.3.1	Investment Report as at 31 January 2012 (FIN0033)	28
9.3.2	Authorisation of Expenditure for the Period 1 – 31 January 2012 (FIN0032)	30
9.3.3	Financial Statements as at 31 January 2012 (FIN0026)	33
9.3.4	Review of the Annual Budget 2011/12 (FIN0025) [Absolute Majority Decision Required]	108

9.4 COMMUNITY SERVICES

- | | | |
|-------|--------------------------------------------------------------------------------------|-----|
| 9.4.1 | 'KidSport' Grant Application (FIN0154) | 40 |
| 9.4.2 | William Street Festival 2012 – Collaboration with City of Perth (CMS0124) | 120 |
| 9.4.3 | ACROD Parking on Loton Park (RES0013) [Absolute Majority Decision Required] | 124 |

9.5 CHIEF EXECUTIVE OFFICER

- | | | |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 9.5.1 | City of Vincent Policies – Review of and New Policies (ADM0023) [Absolute Majority Decision Required] | 126 |
| 9.5.2 | Occupational Safety and Health Management Plan 2012 – 2015 (PER0025) | 43 |
| 9.5.3 | Equal Employment Opportunity Management Plan 2012 – 2014 (PER0025) | 45 |
| 9.5.4 | Office of the Mayor – Approval for Employment of a Personal Assistant (Part-Time) (ADM0104) [Absolute Majority Decision Required] | 135 |
| 9.5.5 | Information Bulletin | 47 |

10. COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

- | | | |
|------|--------------------------------------------------------------------------------------------------------------------|-----|
| 10.1 | Cr John Carey – Request for a Social Media Plan and Establishment of a Facebook Page and Twitter Account | 140 |
| 10.2 | Cr John Carey – Request to Investigate the Establishment of a New Parking Enforcement Team for the City of Vincent | 141 |
| 10.3 | Cr John Carey – Request to Investigate the Activation of Non Leased Premises within Beaufort Street Precinct | 142 |

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (Without Discussion)

- | | |
|------|-----|
| Nil. | 143 |
|------|-----|

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

- | | |
|------|-----|
| Nil. | 143 |
|------|-----|

13. URGENT BUSINESS

- | | |
|------|-----|
| Nil. | 143 |
|------|-----|

14. CONFIDENTIAL ITEMS / MATTERS FOR WHICH THE MEETING MAY BE CLOSED (*“Behind Closed Doors”*)

- | | | |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 14.1 | CONFIDENTIAL REPORT: No. 298 (Lot 888) Lord Street, corner Windsor Street, Highgate – Proposed Construction of a Six Storey Mixed-Use Development Comprising Thirty-Two (32) Single Bedroom Multiple Dwellings, Thirty-Six (36) Multiple Dwellings, One (1) Shop (Deli), Five (5) Offices and Associated Basement Car Parking – State Administrative Tribunal (SAT) DR 351 of 2011 (PRO3571; 5.2011.225.1) – <u>This report is released for public information by the Chief Executive Officer</u> | 144 |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|

15. CLOSURE

159

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 28 February 2012, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.00pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Rick Lotznicker	Director Technical Services (until 9.40pm)
Mike Rootsey	Director Corporate Services
Helen Smith	Manager Planning and Building Services
Tory Young	Manager Strategic Planning, Sustainability and Heritage Services (until 9.12pm)
Anita Radici	Executive Assistant (Minutes Secretary) (until 10.00pm)
Lauren Peden	Journalist – <i>"The Guardian Express"</i> (until approximately 10.00pm)
David Bell	Journalist – <i>"The Perth Voice"</i> (until approximately 10.00pm)

Approximately 9 Members of the Public

(c) Members on Approved Leave of Absence:

Nil.

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

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

1. Jennifer Robertson of 75 Fairfield Street, Mt Hawthorn – Item 9.1.7. Stated the following:
 - Remains extremely concerned at the proposal to remove the requirement for a 300m exclusion zone between non low impact base stations and residential buildings – it should not only be retained but also applied to “so called” low impact base stations. The Policy states “*that sensitive uses are to be protected*”. Believes this is how they can be protected so it must be retained as part of the precautionary approach.
 - The Mobile Carriers Forum can claim that there is a lack of evidence to support the exclusion zone but, in fact, there remains no proof of the safety of exposure to EMR as the true safety parameters of this technology is simply not yet available. There are only a couple of studies world wide examining cancer incidents in communities close to base stations and each has found significant increases among those living in a radius of up to 350-400m from a base station.
 - Believes the Policy changes are also out of step with rapidly increasing awareness of concern regarding EMR at all levels – local, national and international including extremely prominent members of the international scientific community i.e. the Telecommunications Amendment Bill has recently gone to the Senate and it aims to include more stringent application of the precautionary principle and removing the exemptions on low impact base stations from State and Local Government planning process. This would change existing carte blanche held by carriers to install low impact base stations right next to homes or schools if they deem it cost effective to do so.
 - In this environment it is more important that Local Government makes a stand through Policy to protect public health even though as yet they lack statutory powers to do so for low impact.
 - As Elected Council, she believes it is clear what the community response has been to the proposal to install a base station on top of the Mezz less than 50m from residents’ homes.
 - Believes the Policy should retain the note in clause 1 as it is appropriate to ask Carriers to voluntarily cooperate with the Council especially through true adherence to the precautionary principle. Similarly clause 2(iii) relating to community notification by the City of Carriers intentions to erect low impact facilities should remain in the Policy as the City has a responsibility to inform the community on matters of interest and relevance which she notes is in the Recommendation which is appreciated.
 - Accepts that mobile phone technology is a part of life and the industry requires infrastructure however, the Elected Council should have the community’s long term health as the higher priority over and above corporate interest and competition which should be strongly reflected in the Policy.
2. Kynan Hoffman of 11 Regent Street, Mt Lawley – Item 9.1.2. Stated the following:
 - Is the Applicant and supports the application.
 - The site has been used as a car yard previously and in the past car hire yard.
 - He will be providing parking on site for his patrons which will only be about 15-20 max on the premises for sale and 2-3 parking bays will be provided as he expects to only have 2-3 customers a day as it is a much smaller yard than he has had in the past.
 - Opening hours are 10am-5.30pm and the site will only be used as car sales not repairs or servicing.
 - The site is currently in a very poor condition and there is a lot of graffiti and so forth however, he will be painting the whole establishment to get rid of the graffiti and installing video surveillance cameras.
 - Urged the Council to support the application.

3. Tom Parker – Item 9.1.6. Stated the following:
- There have been 4 key concerns raised, firstly reservation of amenity and disturbance to surrounding residents. The unit is being managed by Executive Apartments who are specialists in providing corporate accommodation for professional people. The occupancy rate is estimated to be 65% leaving the unit vacant for about 4 months a year on average and the average length of stay is 1-3 months and could even get to 9 months duration. There is no added pressure on the amenity as furniture is not being moved in and out of the complex. He has recently had 3 long term tenants break their lease at the 3-4 month mark which placed a lot of pressure on the amenity with furniture being moved. There is weekly cleaning inside the apartment therefore maintaining the complex amenity.
 - Secondly, short term accommodation being for party or holiday goers. The clients of Executive Apartments are professional people working in Perth on contract as their employers pay for their accommodation and are generally very well behaved however, if there are serious issues, breaches or complaints the tenants can be evicted immediately – short term accommodation is not subject to the Residential Tenancy's Act. Owners will be provided with their contact details and those of Executive Apartments if any issues arise.
 - Thirdly is that this will set a precedent for other owners to change to short term however, they feel there is a lack of evidence to support this claim as other applicants will need to go through the same process that they have.
 - Fourth is that the owners having already commenced short term accommodation – they were not aware that Council approval was required however, they did consult the Council of Owners on 12 December 2011 in relation to commencing short term accommodate as the long term tenant was breaking lease and he has an email to validate that. No objection was made at the time therefore, they assumed it was ok to proceed. They are now aware that this was an error and they sincerely apologise.
4. Hayley Erikson – Item 9.1.6. Stated the following:
- In support of the application. Some positive of approval are that:
 - there would be greater exposure to national and international tenants that would be spending money, dining out and shopping in the City therefore contributing to the local economy and these people are much more likely to do so than long term tenants;
 - there is a weekly cleaner to attend to the property who will attend to the internal and the balcony. There is no garden only a balcony therefore it will not appear un-kept; and
 - the common areas of the complex are maintained by a cleaner that is paid for by the strata and this same cleaner takes the bins out to the verge very week and brings them back in therefore, there is no concern of a short term tenant not contributing to those duties.
 - Therefore, having a short term tenant managed by Executive Apartments would preserve the amenity greater than a long term tenant would.
 - Emphasised the excellent proactive management style of Executive Apartments and their tenants are professional people.
 - Feels that people are saying no based on assumption about short term accommodation and they will be holiday makers and party goers.
 - Asked if the application can be supported for 12 months to give it an opportunity to see if it does work?
 - Their apartment is their first home and they do love it and want to look after it. They would not go through the process if they thought the change of use would detrimentally effect the amenity of the complex or their neighbours.

Cr Carey departed the Chamber at 6.11pm.

5. Miriam Oh of 77 Wright Street, Highgate. Stated the following:
- Also spoke on this Item at the Council Meeting of 22 November 2011.
 - Was hearted by the Council's decision to investigate further options of park usage and as a result, she as well as many others attended the public forum held 11 February 2012. During this Meeting, she was struck by the high level of conflict between dog owners and soccer people. It was also discussed that the original idea to fence Jack Marks Reserve arose out of attempts to mitigate that conflict.
 - Asked the City and Council to think about how they engage with public open space in their immediate areas, what they enjoy and what they observe when they do that i.e. children taking a lot of enjoyment out of using the spaces that are open rather than small and closed off by large fencing erected. Think about lifestyles and whether children engage in too much structured activities or whether it is a better idea to have diminishing public open spaces kept open so children can engage in play, people can walk their dogs and all sorts of diverse people can engage with public open spaces.
 - She is disappointed to read that the Recommendation directly contradicts the second Recommendation and is illogical to all of the resolutions and discussions that occurred at the Forum and, is unsure why there was wording to the effect of *"approving the planting of a low perimeter native fence with a 600mm high pool type fence around Jack Marks Reserve"*. Believes this is not something that anyone expressed an interest in during the Forum however, there was overwhelming support on that day for the Park to remain either open as is or for people to accept a low hedge. The only person who expressed favour for fencing was someone that lives oppose Forrest Park who currently has her house on the market and using Forrest Park for her dogs. There was one other person that discussed having a barrier and that person expressed safety issues for her dog and when conversation moved onto having a hedge instead of a fence that person was more than happy. Therefore queried why a fence is proposed.
 - Referred to page 67 dot points 14, 18 and 26 all discuss the sentiment that was overwhelming expressed at the Forum that Jack Marks Reserve is far too small to have any kind of a fence and it is inappropriate use for the open space. The existing area is very small, there is currently a significant fence that is around the play area for the children's playground.

There being no further speakers, Public Question Time closed at approx. 6.13pm.

Cr Carey returned to the Chamber at 6.13pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Warren McGrath requested leave of absence on 29 February 2012 to 2 March 2012 (inclusive), due to work commitments.
- 4.2 Cr John Carey requested leave of absence on 12 March 2012 to 22 March 2012 (inclusive), due to work commitments.

Moved Cr Buckels, Seconded Cr Pintabona

That Cr Warren McGrath and Cr John Carey's requests for leave of absence be approved.

CARRIED UNANIMOUSLY (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 14 February 2012.

Moved Cr Maier, Seconded Cr Pintabona

That the Minutes of the Ordinary Meeting of Council held 14 February 2012 be confirmed as a true and correct record.

Cr Topelberg requested the Minutes be corrected and moved the following:

AMENDMENT

Moved Cr Topelberg, Seconded Cr Maier

That the Minutes of the Ordinary Meeting of Council held 14 February 2012 be confirmed as a true and correct record, subject to the following correction:

Page 145 of the Minutes – Item 9.1.9

That clause 2 be corrected to read as follows:

***“2. REQUIRES the applicant to underground the power to the property in the event that the City is unsuccessful in receiving funding for the Angove Street LEP. This is to occur within 120 days of the City’s advice in this respect.*”**

CARRIED AS AMENDED UNANIMOUSLY (9-0)

Cr Buckels departed the Chamber at 6.17pm.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Democracy Forum – Saturday 25 February 2012

Thank you to the Councillors and Staff who participated in the Deliberative Democracy Forum on Saturday.

The feedback from the Forum was extremely positive with a great deal of enthusiasm for people that had been engaged in the process. There was a strong feeling that they had been listened to and I have to say that I was very impressed with the resolve and the seriousness with which people took the issue and that balance between the community of interest and the need for financial sustainability in the options that were supported.

Again thank you all for being involved and I think the involvement of the Councillors was very important and many Staff got involved and we really thank them for giving up their Saturday to do that. A particular thank you to the Director Corporate Services, Mike Rootsey and Kara Ball who put in an enormous effort into getting this underway.

7.2 Withdrawal of Item 9.1.5

It is announced that Item 9.1.5 relating to No. 158 (Lot: 16) Bulwer Street, Perth – Proposed Change of Use from Residential to Unlisted Use (Car Wash) has been WITHDRAWN from tonight's Agenda at the request of the Applicant, as his designer is currently overseas.

7.3 WALGA's Municipal Waste Advisory Committee

I am on the WALGA's Municipal Waste Advisory Committee and they have been reviewing their options for funding for recycling and I believe their was an issue raised by Cr Maier at an earlier meeting expressing concerning that we could do more with recycling hazardous waste if we were focusing on the mainstream of hazardous waste. Therefore, I have raised this at a Forum and strongly expressed the view that from our Council's point of view we would like them to consider funding these facilities on a temporary basis, for us to get recycling of that mainstream of the batteries of paint of that "bread and butter stuff" which can be done much more cheaply than the full on Hazchem Hazardous Year stuff that has been "gobbling" up the limited amount of money that has been made available from the Waste Management Authority.

I just wanted to advise that I had taken up that issue and I think we have got interest in WALGA in that so we look forward to what comes out of that proposal.

7.4 Public Transport Authority and Department of Transport

I have meet with the Public Transport Authority and Department of Transport last week to talk about some public transport options, about how we can increase services down Beaufort Street, the timetable for other bus services for the delivery of CAT services to Leederville. So we have been engaging in dialogue on those critical points.

8. DECLARATIONS OF INTERESTS

8.1 Cr Topelberg declared an Impartiality interest in Item 9.4.2 – William Street Festival 2012 – Collaboration with City of Perth. The extent of his interest being that his family own a property on William Street, within the Festival area. This is also his primary place of business. Cr Topelberg stated that as a consequence, there may be a perception that his impartiality on the matter may be affect. He declared that he would consider the matter on its merits and vote accordingly.

8.2 Mayor Hon. Alannah MacTiernan declared a proximity interest at 7.50pm in the Item 9.1.11 – Car Parking Strategy Implementation Plan 2010-2018 – Progress Report No. 2 during debate on the Item. Mayor Hon. Alannah MacTiernan requested approval to participate in debate and vote on matters other than those relating to Parry Street.

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

Nil.

Cr Buckels returned to the Chamber at 6.21pm.

10. REPORTS

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.7, 9.1.2, 9.1.6 and 9.2.3.

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

Items 9.2.2, 9.3.4, 9.4.3, 9.5.1 and 9.5.4.

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

Nil.

Presiding Member, Mayor Hon. Alannah MacTiernan, requested Council Members to indicate:

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

Cr Carey	Nil.
Cr Topelberg	Items 9.1.3, 9.1.11 and 9.4.2.
Cr Buckels	Nil.
Cr McGrath	Item 9.1.9.
Cr Wilcox	Nil.
Cr Pintabona	Nil.
Cr Harley	Nil.
Cr Maier	Item 9.2.1.
Mayor Hon. MacTiernan	Nil.

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer to advise the meeting of:

10.5 Unopposed items which will be moved "En Bloc" and the following was advised:

Items 9.1.1, 9.1.4, 9.1.8, 9.1.10, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.5.2, 9.5.3 and 9.5.5.

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

Item 14.1.

New Order of Business:

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

(a) Unopposed items moved *En Bloc*;

Items 9.1.1, 9.1.4, 9.1.8, 9.1.10, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.5.2, 9.5.3 and 9.5.5.

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

Items 9.1.7, 9.1.2, 9.1.6 and 9.2.3.

(c) Those items identified for discussion by Council Members;

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

(d) Confidential Items – to be considered ("Behind Closed Doors").

ITEMS APPROVED "EN BLOC":

The following Items were approved unopposed and without discussion "*En Bloc*", as recommended:

Moved Cr Maier, Seconded Cr Wilcox

That the following unopposed items be approved "En Bloc", as recommended;

Items 9.1.1, 9.1.4, 9.1.8, 9.1.10, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.5.2, 9.5.3 and 9.5.5.

CARRIED UNANIMOUSLY (9-0)

ITEM 9.1.5 WITHDRAWN BY THE APPLICANT

9.1.5 No. 158 (Lot: 16; D/P: 972) Bulwer Street, Perth – Proposed Change of Use from Residential to Unlisted Use (Car Wash)

Ward:	South	Date:	14 February 2012
Precinct:	Hyde Park; P12	File Ref:	PRO0163; 5.2011.453.2
Attachments:	001 - Property Information Report and Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by Sam Butto on behalf of the owner, B & M Ricciardello Nominees Pty Ltd for Proposed Change of Use from Residential to Unlisted Use (Car Wash) at No. 158 (Lot 16) Bulwer Street, Perth, as shown on plans stamp-dated 4 October 2011, for the following reasons:

1. The proposed car wash is not consistent with the objectives and purpose of the residential zone under Town Planning Scheme No. 1; and
2. The proposed car wash is not in the interests of orderly and proper planning for the area.

Landowner:	B & M Ricciardello Nominees Pty Ltd
Applicant:	Sam Butto
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R80
Existing Land Use:	Parking
Use Class:	Unlisted Use (Car Wash)
Use Classification:	"SA"
Lot Area:	379 square metres
Right of Way:	N/A

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given that the development of a car wash is an unlisted use.

BACKGROUND:

- 24 May 1994 Council at its Ordinary Meeting refused a development application for proposed car parking.
- 3 August 1994 Inspections of the site revealed that it was continuing to be used for parking, with the owners of the lot being advised that the use of the residential lots for any use other than a residential one must cease.

DETAILS:

The application is for a change of use from a vacant lot to an unlisted use for a car wash. The subject site currently adjoins a service station to the north-western boundary and two residential dwellings to the south-eastern boundary, with a right of access proposed over each adjoining lot.

Consultation	
In Support:	One (1)
Comments Received	Officer Comments
Nil	Nil
Objections:	Nil (0)
Comments Received	Officer Comments
Nil	Nil
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation.

Other Implications	
Legal/Policy	TPS 1 and associated Policies.
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.

Car Parking

Car Parking	
Car parking requirement (nearest whole number) • Service Station – 1 space per working bay provided	=3 car bays
Apply the adjustment factors. • 0.85 (The proposed development is within 400 metres of a bus stop/station) • 0.85 (The proposed development is within 400 metres of one or more existing public car parking place(s) with in excess of a total of 75 car parking spaces)	(0.7225) = 2.1675 car bays
Minus the car parking provided on-site	3 car bays
Minus the most recently approved on-site car parking shortfall	N/A
Resultant surplus	0.8325 car bays

COMMENTS:

Technical Services

The proposed carwash development will necessitate reciprocal access easements involving four lots, with a single owner. Legally, it is not possible to grant an easement right to oneself, and so the ongoing tenability of the development cannot be guaranteed.

The turning motions indicated on the drawings are inaccurate in accordance with the Australian Standards, and would only be applicable to small vehicles. The proposed turning manoeuvring results in non compliance as the turning motion is located within the Metropolitan Region Scheme road widening area. It is imperative that all new development on sites subject to road widening not make use of the widening area as part of its functionality.

The development proposes using the eastern most crossover to the service station as a waiting or queuing place for the car wash. The eastern most crossover is the only compliant access to or from the site, based on current standards, with the other two crossovers being too close to a controlled intersection. Obstruction of this crossover by car wash patrons cannot be supported by Technical Services.

Planning

It is considered that the proposed car wash is not in keeping with the residential zoning of the subject site. The characteristics of the car wash and adjoining residential lot are incompatible and not in the interests of orderly and proper planning.

Whilst a car wash is an unlisted use, it is considered to have a similar intensity of use and impact as a service station, which on the adjoining residential dwellings, would be unreasonable as there is proposed a right of access over the residential property. Under the City's Zoning Table in Town Planning Scheme No. 1, a service station is an 'X' use, prohibited in a residential zone. A car wash is not considered to be consistent with the objectives and purpose of the residential zone.

The proposed right of access is considered unreasonable, as this area is required for the manoeuvring area of vehicles accessing the two dwellings, which were approved on 15 July 2011. By nominating the area behind the dwellings as an exit only, it will result in traffic issues for both the residential dwellings and car wash, due to the area being required for access to the residential dwellings. It should also be noted that residential and commercial uses should not be subject to competing for access.

In view of the above, it is recommended that Council refuse the application.

9.1.1 No. 38 (Lot 810; D/P: 65998) Kadina Street, North Perth – Proposed Amendment to Approved Two-Storey Single House and Undercroft Garage (Retrospective Application)

Ward:	North	Date:	14 February 2012
Precinct:	Smith's Lake, P6	File Ref:	PRO5159; 5.2011.609.2
Attachments:	001 – Property Information Report, Development Application Plans		
Tabled Items	Nil		
Reporting Officer:	A Dyson, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager, Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by J Letizia on behalf of the owner G & J A Letizia for Proposed Amendment to Approved Two Storey Single House and Undercroft Garage (Retrospective Application), at No. 38 (Lot 810; D/P: 65998) Kadina Street, North Perth, and as shown on amended plans stamp-dated 25 January 2012, subject to the following conditions:

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Kadina Street;
2. Any new street/front wall, fence and gate within the Kadina Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. No street verge tree(s) shall be removed unless written approval has been received from the City's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);
4. First obtaining the consent of the owners of No. 38a Kadina Street, North Perth, for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 38a Kadina Street, North Perth, in a good and clean condition; and
5. PRIOR TO THE ISSUE OF AN AMENDED BUILDING LICENCE, the following shall be submitted to and approved by the City:

5.1 Amalgamation

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 City, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the City's solicitors or other solicitors agreed upon by the City, 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); and

5.2 Screening

Revised plans shall be submitted to and approved by the City demonstrating; the front lower and upper balcony on the western elevation, the lower western dining room windows, the lower eastern living room windows, the lower eastern kitchen windows, and the rear lower northern alfresco, 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 2010. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the City receives written consent from the owners of Nos. 36 and 38a Kadina Street and No. 6 Tennivale Place, 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 City's Policies.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

Landowner:	G & J A Letizia
Applicant:	J Letizia
Zoning:	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	579 square metres
Access to Right of Way	Not Applicable

PURPOSE OF REPORT:

The report is referred to the Council as the applicant is proposing further variations to the City's Policy relating to Residential Design Elements, which were previously approved under Delegated Authority.

BACKGROUND:

4 November 2010 The City approved an application for a Two-Storey Residential Dwelling and Undercroft Garage under Delegated Authority.

DETAILS:

The proposal involves an amendment to the external wall and pitched roof height, to the previous approved development application. The proposal itself is generally the same as the previous approval, with the exception of the following changes:

- Increase in the floor level of the Undercroft Garage and Storeroom from 15.25RL to 15.60RL; and
- Increase in the floor level of the ground floor from 17.40 to 17.914 and an increase of the ground floor theatre room from 18.08RL to 18.60RL.

The amendments to the floor levels are required due to the fact that the water table is higher than previously anticipated. Subsequently, an increase in floor levels to a maximum of 0.52 metre is proposed.

The setbacks to the boundaries on all facades remain unchanged.

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Building Height:	Top of Pitched Roof Height – 9.0 metres (9.0 metres previously Approved under Delegated Authority)	Top of Pitched Roof Height – 9.4 metres
	Top of External Wall Height – 6.0 metres (6.0 metres – 6.55 metres – previously Approved under Delegated Authority)	Top of External Wall Height – 6.5 metres – 7.05 metres
<i>Officer Comments:</i>		
Supported. Previously, as noted above, a variation to the external wall height was supported as it was considered the fall in the lot from the rear to the front of the property assisted in the non compliance, whilst a significant portion of the remainder of the dwelling was in compliance.		
It is noted, the proposed increases to height to a maximum of 1.05 metres to the external wall height is mainly contained within the front portion of the dwelling and any actual bulk or overshadowing, according to the provisions of the Residential Design Codes, will fall to the south of the subject site, alleviating any impact to the adjoining owners.		
The location of the lot on the southern side of the adjoining properties as well as the requirement for any potential overlooking to be screened accordingly, will also limit the impact of a 0.4 metre variation to the pitched roof height. It is noted along Kadina Street there are several examples of two (2) and three (3) storey developments both at the corner of Barnet Street, to the west of the subject site and further east along Kadina Street, near Charles Street (including the former Brownes Dairy Site). These developments have created an emerging streetscape pattern where two and three-storey development is recognised as an emerging housing form, whilst the remainder of the dwellings are older properties which may be developed in a similar character in the near future.		
It is therefore, considered that whilst the development is proposing variations to both the maximum top of external wall height and the top of pitched roof height, it is not unreasonable in this context.		

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

Consultation	
In Support:	One (1)
Comments Received	Officer Comments
Nil	Noted
Objections:	One (1) – Neither Support nor Object
Comments Received	Officer Comments
<ul style="list-style-type: none"> • Concern in relation to privacy and noise, given the proposed lower balcony on the western side of the dwelling. • In addition given the proposed increase in levels by 0.5 metre the height of the boundary wall on the western elevation will be less than 1.2 metres in height when the applicant is standing on their balcony. Therefore this area should be screened to minimise any potential overlooking to the adjoining owners backyard. • The adjoining owner notes that a meeting took place between themselves and the applicant and notes that the owner verbally agreed to install screens to the lower balcony to prevent overlooking and reduce the impact of noise intrusion. 	<p>Noted. A condition requiring the applicant to provide screening along the lower and western balconies to reduce the effect of privacy and overlooking as well as to minimise noise intrusion.</p> <p>Noted. See above.</p> <p>Noted. A condition has been included accordingly.</p>
Advertising	The advertising was carried out as per the City's Policy 4.1.5 relating to Community Consultation.

Other Implications	
Legal/Policy	City of Vincent Town Planning Scheme No. 1 and City of Vincent Planning and Building Policy.
Strategic	<p>The City's <i>Strategic Plan 2011-2016</i> - Objective 1 states:</p> <p><i>"Natural and Built Environment</i></p> <p>1.1 <i>Improve and maintain the natural and built environment and infrastructure</i></p> <p>1.1.2 <i>Enhance and maintain the character and heritage of the City."</i></p>
Sustainability	Nil
Financial/Budget	Nil

COMMENTS:

Building Height

As noted above, along Kadina Street there are several examples of two and three storey dwellings, both in the form of single residential dwellings and grouped dwellings, located closer to the Charles Street end of Kadina Street (It is noted, these dwellings are located on the former Brownes Dairy where the zoning is Residential R80). These dwellings and residential buildings have created an emerging streetscape pattern along Kadina Street, whereby the presence of two and three storey dwellings are likely to become the most common form of development. It is also noted a number of the lots along Kadina Street can accommodate subdivision of the lots, which in the future will provide for a revitalisation and redevelopment of the street, most likely at least two-storey development.

In light of the above, it is considered that the proposed variations to the top of external wall height and pitched roof height will not be unreasonable.

Accordingly, it is recommended that the proposed amendment to the proposal be supported.

9.1.4 Nos. 511-513 (Lot 25; D/P: 672) Beaufort Street, Highgate – Proposed Alterations and Additions to Existing Small Bar Including an Increase in Patron Numbers

Ward:	South	Date:	14 February 2012
Precinct:	Mount Lawley Centre; P11	File Ref:	PRO0261; 5.2012.36.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant's submission		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Arjai Designs on behalf of the owner, D Di Florio for Alterations and Additions to Existing Small Bar Including an Increase in Patron Numbers at Nos. 511-513 (Lot 25; D/P: 672) Beaufort Street, Highgate, as shown on plans stamp-dated 31 January 2012, subject to the following conditions:

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Beaufort Street;
2. All signage that does not comply with the City's Policy No. 3.5.2 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;
3. The maximum number of patrons to occupy the small bar at any one time shall be 109 persons;
4. Packaged liquor shall not be sold at the premises;
5. No street verge tree(s) shall be removed unless written approval has been received from the City's Parks Services. Should such an approval be granted, all cost associated with the removal and replacement shall be borne by the applicant/owner(s);
6. The windows, doors and adjacent floor area facing Beaufort Street shall maintain an active and interactive frontage to Beaufort Street;
7. A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained;
8. The hours of operation of the small bar shall be limited to 11:00am to 12:00am Monday to Saturday, and 11:00am to 10:00pm Sunday, inclusive;

9. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:**

9.1 **Car Parking**

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City; and

10. **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:**

10.1 **Cash-in-lieu**

10.1.1 Pay a cash-in-lieu contribution of \$16,554 for the equivalent value of 5.34 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

10.1.2 Lodge an appropriate assurance bond/bank guarantee of a value of \$16,554 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

- (a) to the City at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or
- (b) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- (c) to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

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

COUNCIL DECISION ITEM 9.1.4

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

Landowner:	D Di Florio
Applicant:	Arjai Designs
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Small Bar
Use Class:	Unlisted Use
Use Classification:	Unlisted Use
Lot Area:	381 square metres
Right of Way:	N/A

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given that the proposal relates to an unlisted use.

BACKGROUND:

26 August 2008 The Council at its Ordinary Meeting resolved to refuse an application for change of use from shop to unlisted use – small bar and associated alterations, for the following reasons:

1. Impact on parking in the area; and
2. Lack of parking in the area.

21 October 2008 The Council conditionally approved a development application for proposed change of use from shop to unlisted use – small bar and associated alterations. It was a condition of approval that the maximum number of patrons was 68 persons, with the operating hours being 12:00pm to 12:00am Monday to Saturday, and 12:00pm to 10:00pm Sunday.

DETAILS:

The application is for additions and alterations to an existing small bar including an increase in patron numbers from sixty-eight (68) to one hundred and nine (109) persons and an increase in hours of operation to 11:00am to 12:00am Monday to Saturday, and 11:00am to 10:00pm Sunday.

Consultation	
In Support:	Nil (0)
Comments Received	Officer Comments
Nil	Nil
Objections:	Nil (0)
Comments Received	Officer Comments
Nil	Nil
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation.

Other Implications	
Legal/Policy	TPS 1 and associated Policies.
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.

Car Parking

Car Parking	
Car parking requirement (nearest whole number): • Small Bar – 1 space 4.5 persons of maximum number of persons approved for the site 109 persons = 24.22 car bays = 24 car bays	= 24 car bays
Apply the adjustment factors. • 0.85 (The proposed development is within 400 metres of a bus stop/station) • 0.85 (The proposed development is within 400 metres of one or more existing public car parking place(s) with in excess of a total of 75 car parking spaces)	(0.7225) = 17.34 car bays
Minus the car parking provided on-site	12 car bays
Minus the most recently approved on-site car parking shortfall	N/A
Resultant shortfall	5.34 car bays

The paved area at the rear of the buildings at Nos. 507 and 511-513 Beaufort Street is used as a car park only for the subject proposed small bar.

After applying the relevant adjustment factors, a total of 17.34 car bays will be required for the small bar. Twelve (12) compliant car bays have been provided for the small bar, resulting in a shortfall of 5.34 car bays.

As the subject site is located on Beaufort Street, which is a high frequency public transport route, therefore providing alternative forms of transport to the subject site, and there are public car parking places within a close proximity, the shortfall of on-site parking is considered supportable.

An eating house (Soto Espresso) at No. 507 Beaufort Street was approved by the Council at its Ordinary Meeting held on 17 December 2002. At the time of the planning application, the car park at the rear of the property was used as a vehicle sales premises, hence there was nil car bays on-site for the proposed eating house. The approved car parking requirement/shortfall was 6.35 car bays with a public floor area of 99 square metres; this car parking shortfall was satisfied via payment of cash-in-lieu for 6.35 car bays.

Due to the eating house being approved with no car bays on-site and the payment of the cash in-lieu being made, the owner of No. 507 Beaufort Street has no obligation to provide any car parking bays for the approved eating house. The original approval for the change of use to small bar proposed that all the car parking at the rear of the two properties be for the exclusive use of the proposed small bar. A condition was applied to adequately secure this car parking via an agreement on the adjoining property at No. 507 Beaufort Street that car parking on the lot is for the use of the small bar.

In considering the original development application for the change of use to small bar, the City received legal advice from the City's solicitors that a legal agreement or a grant of easement was appropriate in the instance (as opposed to an amendment to a lease agreement) as a legal agreement or a grant of easement is secured on the certificate of title and is carried with the land, regardless of who is the owner, occupier or licence holder. The easement in gross was finalised as part of the previous approval.

COMMENTS:

Health Services

It is noted that the current Planning Application requests an increase of the Maximum Accommodation to one hundred (100) patrons, however following a preliminary assessment of the plans (submitted 31 January 2012) by the City's Health Services in accordance with the *Health (Public Building) Regulations 1992*, it has been estimated that the proposed toilet facilities, available floor area and aggregate exits widths may accommodate a maximum of one hundred and nine (109) persons. Prior to commencement of trade at the premises, the City will conduct a thorough and final assessment of the Public Building to calculate the Maximum Accommodation Number and it is advised that the final number may vary from the preliminary estimate of one hundred and nine (109) patrons.

Planning Services

Neighbour consultation was undertaken for an increase in patron numbers from sixty-eight (68) to one hundred (100) persons; however as stated above, a preliminary maximum accommodation assessment has been undertaken, which concluded that a maximum number of one hundred and nine (109) patrons could be accommodated.

The increase in patron numbers increased the proposed shortfall of on-site parking from 3.895 to 5.34. As this is not a significant increase in the proposed shortfall, with the subject site being located along Beaufort Street, providing alternative forms of transport, it is considered that the increase in patron numbers and shortfall of on-site parking is supportable in this instance.

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

9.1.8 Planning and Building Policy Manual Amendment No. 88 relating to Policy No. 3.1.5 relating to Cleaver Precinct – Scheme Map 5

Ward:	South	Date:	14 February 2012
Precinct:	Cleaver;P5	File Ref:	PLA0237
Attachments:	001 – WAPC advice letter; 002 – Draft Amended Policy; 003 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	R Marie, Planning Officer (Strategic)		
Responsible Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** that Scheme Amendment No. 30 relating to the inclusion of the area bounded by Loftus Street, Newcastle Street, Charles Street and the Graham Farmer Freeway into the City of Vincent Town Planning Scheme No. 1 was approved by the Minister for Planning on 31 January 2012 as shown in Appendix 9.1.8(a) and subsequently published in the Government Gazette on 10 February 2012;
2. **ADOPTS** the final amended versions of the Policy No. 3.1.5 relating to Cleaver Precinct – Scheme Map 5, as shown in Appendix 9.1.8(b) in accordance with Clause 47 (5) (b) of Town Planning Scheme No. 1, having reviewed the twelve (12) written submissions received during the formal advertising period and outlined in the Summary of Submissions as shown in Appendix 9.1.8(c) in accordance with Clause 47 (3), (4) and (5)(a) of the City of Vincent Town Planning Scheme No. 1;
3. **AUTHORISES** the Chief Executive Officer to advertise the final amended versions of the Policy No. 3.1.5 relating to Cleaver Precinct – Scheme Map 5, as shown in Appendix 9.1.8(b) in accordance with Clause 47 (6) of Town Planning Scheme No. 1;
4. **ADVISES** all land owners within the area bounded by Loftus Street, Newcastle Street, Charles Street and the Graham Farmer Freeway of the changes to the Policy.

COUNCIL DECISION ITEM 9.1.8

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this Report is to advise the Council of the outcome of the 28 day community consultation period for Amendment No. 88, relating Policy No. 3.1.5 relating to Cleaver Precinct – Scheme Map 5, and to request that the Council endorse the amended Policy for final approval.

BACKGROUND:

- 27 March 2001 The City adopted the Planning and Building Policy Manual, which included Policy No. 3.1.5 relating to the Cleaver Precinct – Scheme Map 5. At the time of adoption this precinct was bounded by Loftus, Vincent, Charles and Newcastle Streets.
- 1 July 2007 The area bounded by Loftus Street, Newcastle Street, Charles Street and the Graham Farmer Freeway was transferred to the City of Vincent from the City of Perth.
- 22 March 2011 The Council initiated Scheme Amendment No. 30 to include the abovementioned area in the City of Vincent Town Planning Scheme No. 1.
- 25 October 2011 Scheme Amendment No. 30 was considered at the Ordinary Council Meeting held on 25 October 2011, where it was authorised for the Mayor and CEO to execute and affix the City of Vincent common seal to Scheme Amendment No. 30 and forward the relevant executed documents to the Western Australian Planning Commission (WAPC), and request the Minister of Planning to adopt for final approval.
- 8 November 2011 The Council considered a report relating to Draft Policy Amendment No. 88, relating to Policy No. 3.1.5 relating to the Cleaver Precinct – Scheme Map 5 and resolved to authorise the Draft Amended Policy to be advertised for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1.
- 18 November 2011 The 28 day consultation period for Draft Policy No. 3.1.5 commenced.
- 9 December 2011 The 28 day consultation period for Draft Policy No. 3.1.5 ceased.
- 10 February 2012 Scheme Amendment No. 30 relating to the inclusion of the area bounded by Loftus Street, Newcastle Street, Charles Street and the Graham Farmer Freeway into the City of Vincent Town Planning Scheme No. 1 was finalised and published in the Government Gazette, following the Minister for Planning's approval on 31 January 2012.

DETAILS:

Following the completion of Scheme Amendment No. 30, relating to land ceded from City of Perth to the City of Vincent, the City Officers have amended Draft Policy No. 3.1.5 relating to the Cleaver Precinct – Scheme Map 5, to ensure there are development provisions in place for the land subject to Scheme Amendment No. 30 (bounded by Loftus Street, Newcastle Street, Charles Street and the Graham Farmer Freeway), under the City's Town Planning Scheme No. 1.

The changes to the development guidelines of Draft Policy No. 3.1.5 relating to the Cleaver Precinct – Scheme Map 5, have been based largely on the Draft Perth Precinct Policy which was prepared as part of the review of the City's Town Planning Scheme No. 2, and endorsed by Council at its Ordinary Meeting, held on 20 December 2011.

The Draft Amended Policy No. 3.1.5, relating to the Cleaver Precinct has been advertised in accordance with Clause 47 of the City's Town Planning Scheme No. 1, commencing on 18 November 2011 and closing on 9 December 2011. Following the completion of the advertising period, the Draft Policy No. 3.1.5 was further considered in light of the submissions received and reviewed following the Council's reconsideration of the Draft Town Planning Scheme No. 2 at its Ordinary Meeting held on 20 December 2011. Where appropriate, the Draft Policy No. 3.1.5 has been modified in light of these comments received and through a general review of the Policy.

The proposed amendments are considered both appropriate and logical, and will serve to further enhance the application of the City's Policy No. 3.1.5 relating to Cleaver Precinct – Scheme Map 5. The key changes to the Policy following the consultation are outlined below. Details of all proposed amendments are outlined in Appendix 9.1.8(b) and have been shown via strikethrough and underline.

Concerns Relating to wording of Policy

There was some concern raised that the Policy was not clear and difficult to understand. It is noted that the wording of this Policy is consistent with the City's other Precinct Policies within the City, and therefore much of the wording has been maintained. However it is noted that it may be difficult to differentiate between the two commercial areas (north and south of Newcastle Street) and therefore, the headings have been renumbered and retitled to make this clearer.

Commercial Uses in Residential Zones

There was some concern in relation to the statement that encouraged low intensity commercial uses on the ground floor of buildings fronting or adjacent to Newcastle Street. Whilst it is acknowledged that the City is investigating a mixed use zoning on the northern side of Newcastle Street as part of the review of the Town Planning Scheme, the current zoning is for residential uses with the exception of the commercial zoned areas and therefore it is not considered appropriate to encourage commercial uses, however they can still be considered as per the Use Class Table in the Town Planning Scheme No. 1.

In addition, text has been added to ensure that the residential amenity of the area north of Newcastle Street is to be considered should any commercial uses be proposed along Newcastle Street.

Heights North of Newcastle Street

In the current Policy, heights are permitted to three storeys (including a loft) in the commercial zone. The only commercial properties that exist north of Newcastle Street, front both Newcastle and Charles Streets. Under Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones, heights are permitted to approximately 4 storeys (as per the Residential Design Codes (R-Codes)), along Newcastle and Charles Streets within the Cleaver Precinct. To ensure consistency in heights, the Cleaver Precinct Policy has been amended to allow a fourth storey for development in the residential and commercial zone.

Awnings/Verandahs and Balconies

Some text was removed in relation to the provision of balconies, as balconies are not a requirement for commercial buildings. Should there be a residential development proposed, balcony requirements would be as per the R-Codes. Similarly to balconies, verandahs are not required for commercial developments, and therefore removed reference in the Policy.

Setbacks

It is noted that there is an eclectic mix of setbacks within the area south of Newcastle Street. This is mainly due to the light and service industry uses in the area which has resulted in predominance of warehouses, car yards and offices. It is also noted that many of the lots are large and have both primary and secondary frontages. As a result, the primary and secondary setback requirements have been combined. In addition, some text relating to transitions between commercial and residential zones has been removed, as the area south of Newcastle Street does not adjoin any residential zones.

A requirement for residential developments has been added in relation to side setbacks. This is to be in accordance with the R-Codes.

Heritage Properties

Statements have been added to the Policy under 'Reserves' and 'General' in relation to heritage considerations.

CONSULTATION/ADVERTISING:

Amendment No. 88 was advertised in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 for a period of 28 days between 18 November 2011 and 9 December 2011.

All affected land owners in the area, precinct groups and relevant government and non government authorities were advised of the consultation in writing. Notices were placed in The Voice Newspaper and on the City's website. Furthermore, copies of the Draft Amended Policy were available for viewing at the City's Administration and Civic Centre, Library and Local History Centre and on the City's website.

A total of twelve (12) submissions were received, with the general breakdown of submissions outlined below.

Position	Number	Percentage
Support	3	25%
No objection	2	16.66%
Neither Support or Object	2	16.66%
No Comment	1	8.33%
Comment only	4	33.33%
Objection	0	0%
Total	12	100%

A summary of the submissions received can be viewed in Appendix (c).

LEGAL/POLICY:

- City of Vincent Town Planning Scheme No. 1 and associated Policies;
- Residential Design Codes of Western Australia; and
- Planning Control Area No. 100.

RISK MANAGEMENT IMPLICATIONS:

Not Applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* Objective 1.1.1 states:

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The City of Vincent 2011/2012 Budget allocates \$40,000 to Town Planning Scheme and Policy Amendments.

Expenditure for this matter will be incurred under the following budgeted item:

Budget Amount: \$40,000
Spent to Date: \$34,304
Balance: \$5,696

COMMENTS:

Following the consultation period, a number of changes have been proposed to the Draft Amended Policy No. 3.1.5. It is considered that these few amendments will result in a comprehensive and transparent Policy No. 3.1.5, relating to the Cleaver Precinct, which will ensure that there are development guidelines in place for the area bounded by Loftus Street, Newcastle Street, Charles Street and the Graham Farmer Freeway, transferred from the City of Perth in 2007.

In light of the above, it is considered that the revised Policy No. 3.1.5 adequately caters for the development bounded by Loftus Street, Vincent Street, Charles Street and Newcastle Street and the area north of Newcastle Street. Subsequent to this, it is recommended that the Council adopt the Officer Recommendation to endorse Policy No. 3.1.5 relating to the Cleaver Precinct.

**9.1.10 Amendments to the Municipal Heritage Inventory (MHI) – No. 590
(Lots 12 and 118; D/P: 27710) Newcastle Street, West Perth**

Ward:	South	Date:	16 February 2012
Precinct:	Cleaver; P5	File Ref:	PRO4506; PLA0098
Attachments:	Nil		
Tabled Items	Nil		
Reporting Officers:	H Au, Heritage Officer		
Responsible Officer:	T Young, Manager Strategic Planning, Sustainability & Heritage Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the report relating to Amendments to the Municipal Heritage Inventory (MHI);
2. **CONSIDERS** the five (5) submissions received during the three (3) week advertising of the proposed amendments to the Municipal Heritage Inventory as summarised in the 'Details' section of this report; and
3. **DELETES** No. 590 (Lots 12 and 118; D/P: 27710) Newcastle Street, West Perth from the City's Municipal Heritage Inventory.

COUNCIL DECISION ITEM 9.1.10

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of this report is to consider deleting No. 590 Newcastle Street, West Perth from the City's Municipal Heritage Inventory in accordance with the City's Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), following the approval for demolition of the subject place by the Council at its Ordinary Meeting on 20 December 2011.

BACKGROUND:

In accordance with the City's Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory, the Council at its Ordinary Meeting held on 10 February 2009 resolved to include the property at No. 590 (Lots 12 and 118) Newcastle Street, West Perth on to the City's Municipal Heritage Inventory as a Management Category B – Conservation Recommended. The decision to include the place on the City's Municipal Heritage Inventory initiated from a public nomination submitted to the City on 23 April 2008.

The Heritage Assessment undertaken by the City of Vincent dated October 2008 indicated that, in accordance with the City's Policy No. 3.6.1 relating to Heritage Management – Assessment, the subject place, which was formerly known as the Nurse Stockley Private Hospital, Swan Hospital and subsequently Blaich Appin Maternity Hospital, met the threshold for entry onto the City's Municipal Heritage Inventory, as it had considerable historic value and some social value, through playing an essential role in the development of maternity services during the first half of the 20th Century.

It is noted that the subject property was not identified for inclusion on the City's Municipal Heritage Inventory as part of the review of the Municipal Heritage Inventory that was undertaken during 2005–2007.

The Council, at its Ordinary Meeting held on 20 December 2011 resolved to grant conditional approval for the Planning Application (Serial No. 5.2011.336.1) for Proposed Demolition of Existing Building and Construction of a Five Storey Mixed-use Development Comprising of Eight (8), Two Bedroom Multiple Dwellings, Six (6), Single Bedroom Multiple Dwellings, Twelve (12) Offices and Associated Basement Car Parking, at No. 590 Newcastle Street, West Perth.

With respect to the removal of the property from the City's Municipal Heritage Inventory, the Council resolved to authorise the Chief Executive Officer to advertise the deletion of No. 590 Newcastle Street, West Perth from the City's Municipal Heritage Inventory (MHI) for a 21 days public comment period, and on completion of the advertising period, consideration to remove the property at No. 590 Newcastle Street, West Perth from the City's Municipal Heritage Inventory (MHI) will be reported back to the Council for determination.

DETAILS:

The community consultation was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation for a period of twenty-one (21) days in relation to the deletion of No. 590 Newcastle Street, West Perth from the City's Municipal Heritage Inventory. The submissions are 'tabled' as follows:

Consultation	
In Support:	Nil (0)
Comments Received	Officer Comments
<p>A letter was received from the Heritage Council of Western Australia (HCWA) who made the following comments.</p> <ul style="list-style-type: none"> • It is unfortunate that the former Swan Maternity Hospital is to be demolished, however acknowledged the exercising of the Council's discretion in this instance and the due process being followed. 	Noted.
<ul style="list-style-type: none"> • It was appropriate that the property be removed from the City's MHI, as the City will have no further requirement to manage the heritage value of the site once demolished. 	Noted and Supported.
<ul style="list-style-type: none"> • Some form of publicly accessible record of the place should remain to assist the community in its understanding of the significant contribution of the Swan Maternity Hospital to the local history of the area. 	Noted and Supported. A plaque is to be installed on site; information will be made available on the City's dedicated heritage website, and at the City's Local History Centre.
<ul style="list-style-type: none"> • The removal of a heritage listed property from the MHI, as part of a demolition through a Development Application, should be one process. 	Noted and Supported. The City's Policy No. 3.6.5 is proposed to be amended to reflect this suggestion.

Consultation	
Objections:	Four (4)
Comments Received	Officer Comments
<ul style="list-style-type: none"> The deletion of the subject place from MHI overrides the previous Heritage Assessment undertaken by the City, which stated that the subject place has considerable historic value and some social value. 	Not supported. Whilst the subject place has historic and social significance as identified in the Heritage Assessment, this significance is not directly reflected in the building's structure, style or physical appearance. This being the case, the City's Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage was applied, which enables the demolition of a property of heritage value and requirement for interpretive signage, in cases in which the heritage value is associated with the property's social and historic value only.
<ul style="list-style-type: none"> The historic and social value of the place is not recognized after demolition. 	Not supported. In this particular instance, as the history of the building is largely demonstrated through its social and historic value, this information is more accessible through other sources, such as the publication, <i>'The Smoker and Stockley families and the Swan Maternity Hospital: A Humble Heritage'</i> , (Rod Smoker 2008), oral histories and photographs, rather than the building itself. A form of interpretation, which incorporates explicit recognition of the identified heritage values of the place to be demolished, shall be installed on site, as per the Planning Approval.
<ul style="list-style-type: none"> There is a lack of enforcement by the Council to protect and restore significance buildings. 	Not supported. The approval for demolition of the subject place and the deletion of the place from MHI are considered in accordance with the City's current policies. The City has a comprehensive and robust approach to heritage management, which is recognised through the City's Policies relating to Heritage Management and the commitment to dedicating appropriate resources to implement the key actions of the City's Heritage Strategic Plan 2007 – 2012.
<ul style="list-style-type: none"> The process of removal places from MHI appears to be very ad-hoc, with no official procedure or policy in place. 	Not supported. The City's Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) outlines the procedure for removal from the City's Municipal Heritage Inventory. It is acknowledged however, that a review of this Policy No. 3.6.5 is being undertaken to ensure a clearer process in the instance of demolition of a heritage listed property as part of a development application.
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation for a period of twenty-one (21) days.

COMMENTS:

In accordance with the City's Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties Clause P3 A.3.1, which states, *“Demolition of a whole building listed on the City's Municipal Heritage Inventory will generally not be supported.”* Whilst this is the stance generally taken in the determination of the demolition of a heritage listed property, this Policy is to be read in conjunction with the City's Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage.

The City's Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage Clause 1 (ii), states that if the Council resolves that a building proposed for demolition has solely historic and/or social significance that is deemed by the Council as not directly reflected in the building's structure, style or physical appearance, the Council may approve the demolition application and require a form of interpretation to be displayed on the site of the existing building.

In this particular instance, for the property at No. 590 Newcastle Street, West Perth, it is noted in the Heritage Assessment that the place's cultural heritage value is primarily attributed to its historic and social value and the place has little aesthetic value.

In light of the above, the Council has approved the demolition of the subject place, subject to a form of interpretation being installed on the site, which incorporates explicit recognition of the identified heritage values of the place to be demolished, as identified in the Heritage Assessment for the place; and authorised the Chief Executive Officer to advertise the deletion of No. 590 Newcastle Street from the City's MHI.

This matter was discussed at the City's Local History and Heritage Advisory Group meeting on 9 February 2012, where the group concurred that for buildings of heritage value, in which the value was more attributed to the property's historic and social value, retention was not always essential, and this heritage value could also be promoted to the community through other mediums, such as plaques or other more creative interpretation, together with written and oral histories and photographs available for viewing from the City's Local History Centre and the City's website.

Notwithstanding the above, it is noted that whilst the procedure outlined in the Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) generally works well, it has become apparent through its implementation, that the Policy requires clearer guidance in the procedure for places to be removed from the Municipal Heritage Inventory through the proposed demolition as part of a Development Application.

As per the Officers' Recommendation with respect to the above, the Council at its Ordinary Meeting held on 20 December 2011 also resolved to authorise the Chief Executive Officer to review the above Policy, to provide a clearer process for the City's Heritage Officers to consider a place for deletion from the MHI as a result of Development Approval for demolition.

As such, the Heritage Services have prepared a report which will be presented to the Council on 28 February 2012 in relation to the review of the City's Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) and No. 3.6.4 relating to Heritage Management – Interpretive Signage.

In summary, the Heritage Officers propose to create a new clause for Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) to outline more specifically the steps involved in the scenario when the City can consider a place for removal from the Municipal Heritage Inventory, as a result of enquiry through demolition as part of the Development Application process. With respect to Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage, the Heritage Officers recommend that if a place listed on the City's Municipal Heritage Inventory is removed from the Inventory, the place becomes a 'Place of Interest', in order to recognise the significance of the buildings that are approved to be demolished within the City, which are considered to hold historic and/or social cultural heritage values not reflected directly in the building's structure, style or physical appearance.

It is envisaged that the Draft Amended Policies will provide greater clarity to the public and the Council with respect to circumstances where applications are received for the demolition of heritage listed properties.

CONSULTATION/ADVERTISING:

The proposed amendment to the City's Municipal Heritage Inventory was advertised in accordance with the City's Policy No. 4.1.5 relating to Community Consultation for a period of twenty-one (21) days.

LEGAL/POLICY:

City of Vincent Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* Objective 1.1 states:

"Natural and Built Environment:

1.1: *Improve and maintain the natural and built environment and infrastructure.*

1.1.2 *Enhance and maintain the character and heritage of the City*

(a) *Continue to implement and promote the Heritage Strategic Plan and Heritage Management policies and promote the Municipal Heritage Management Inventory."*

In keeping with the City's *Heritage Strategic Plan 2007-2012* – Key Result Area No. 2 – 'Statutory Provisions and Policies' states:

"Objective: Ensure that legislative obligations are met by the City in clear and effective ways, using documented policies and procedures."

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this matter will be incurred under the following budgeted item:

'Town Planning Scheme Amendments and Policies'

Budget Amount:	\$40,000
Spent to Date:	\$34,304
Balance:	\$5,696

COMMENTS:

In light of the above, it is recommended that the Council receives and supports the proposed amendments to the City's Municipal Heritage Inventory to remove the property at No. 590 (Lots 12 & 118) Newcastle Street, West Perth from the Municipal Heritage Inventory, in line with the Officer Recommendation.

9.3.1 Investment Report as at 31 January 2012

Ward:	Both	Date:	17 February 2012
Precinct:	All	File Ref:	FIN0033
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	B C Tan, Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council NOTES the Investment Report for the month ended 31 January 2012 as detailed in Appendix 9.3.1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

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

BACKGROUND:

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

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

DETAILS:

Total Investments for the period ended 31 January 2012 were \$25,011,000 compared with \$18,011,000 at 31 December 2011. At 31 January 2011, \$19,335,155 was invested.

Investment comparison table:

	2010-2011	2011-2012
July	\$11,109,646	\$13,511,000
August	\$22,184,829	\$24,011,000
September	\$20,084,829	\$22,011,000
October	\$20,084,829	\$21,511,000
November	\$21,086,506	\$21,011,000
December	\$19,585,155	\$18,011,000
January	\$19,335,155	\$25,011,000

Total accrued interest earned on Investments as at 31 January 2012:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$567,000	\$396,000	\$365,986	64.55
Reserve	\$433,000	\$245,000	\$354,925	81.97

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Funds are invested in accordance with the City's Investment Policy No. 1.2.4.

RISK MANAGEMENT IMPLICATIONS:

High: Section 6.14 of the Local Government Act 1995, section 1, states:

“(1) Subject to the regulations, money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested in accordance with Part III of the Trustees Act 1962.”

COMMENT:

As the City performs only a custodial role in respect of monies held in Trust Fund Investments these monies cannot be used for Council purposes. As at 27 June 2011, key deposits, hall deposits, works bonds, planning bonds and unclaimed money were transferred into Trust Bank account as required by Local Government (Financial Management) Regulations 1996, Section 8 (1b).

The funds invested have increased from previous period due to \$8,065,000 loan received from WA Treasury and \$217,165 contribution from Department of Sport and Recreation for Beatty Park Redevelopment.

The report comprises of:

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

9.3.2 Authorisation of Expenditure for the Period 1 – 31 January 2012

Ward:	Both	Date:	17 February 2012
Precinct:	All	File Ref:	FIN0032
Attachments:	001 – Creditors Report		
Tabled Items:	-		
Reporting Officers:	O Wojcik, Accounts Payable Officer; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **CONFIRMS** the;

1. **Schedule of Accounts for the period 1 January – 31 January 2012 and the list of payments;**
2. **direct lodgement of payroll payments to the personal bank account of employees;**
3. **direct lodgement of PAYG taxes to the Australian Taxation Office;**
4. **direct lodgement of Child Support to the Australian Taxation Office;**
5. **direct lodgement of creditors payments to the individual bank accounts of creditors; and**
6. **direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;**

paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 as shown in Appendix 9.3.2.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
Nil.		

PURPOSE OF REPORT:

To present to the Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 January – 31 January 2012.

BACKGROUND:

The Council has delegated to the Chief Executive Officer (Delegation No. 3.1 the exercise of its power to make payments from the Town's Municipal and Trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the Chief Executive Officer is to be provided to the Council, where such delegation is made.

The Local Government Act provides for all payments to be approved by the Council. In addition the attached Schedules are submitted in accordance with Regulation 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		
Automatic Cheques	071544 - 071642	\$186,740.19
Transfer of Creditors by EFT Batch	1331, 1332, 1334-1336, 1338, 1339	\$2,771,547.23
Transfer of PAYG Tax by EFT	January 2012	\$220,093.10
Transfer of GST by EFT	January 2012	
Transfer of Child Support by EFT	January 2012	\$702.86
Total		\$3,179,083.38
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$6,824.35
Lease Fees		\$30,727.97
Corporate Master Cards		\$9,214.63
Loan Repayment		\$113,688.59
Total Bank Charges & Other Direct Debits		\$160,455.54
Less GST effect on Advance Account		0.00
Total Payments		\$3,339,538.92

LEGAL POLICY:

The Council has delegated to the Chief Executive Officer (Delegation No. 3.1) the power to make payments from the municipal and trust funds pursuant to the Local Government (Financial Management) Regulations 1996. Therefore, in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the Chief Executive Officer is prepared each month showing each account paid since the last list was prepared.

RISK MANAGEMENT IMPLICATIONS:

In accordance with Section 6.8 of the Local Government Act 1995, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of the Council.

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

“4.1 Provide good strategic decision-making, governance, leadership and professional management:

*4.1.2 Manage the organisation in a responsible, efficient and accountable manner;
(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”*

SUSTAINABILITY IMPLICATIONS:

Expenditure has been incurred in accordance with the adopted Budget which has been structured on financial viability and sustainability principles.

ADVERTISING/CONSULTATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

All expenditure from the municipal fund was included in the Annual Budget adopted by the Council.

COMMENT:

All municipal fund expenditure included in the list of payments is in accordance with the Council's adopted Annual Budget or has been authorised in advance by the Council where applicable.

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

9.3.3 Financial Statements as at 31 January 2012

Ward:	Both	Date:	17 February 2012
Precinct:	All	File Ref:	FIN0026
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	B C Tan, Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Financial Statements for the month ended 31 January 2012 as shown in Appendix 9.3.3.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 31 January 2012.

BACKGROUND:

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

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

- the annual budget estimates;
- budget estimates for the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income for the end of the month to which the statement relates;
- material variances between the year-to-date income and expenditure; and
- Includes other supporting notes and other information that the local government considers will assist in the interpretation of the report.

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

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

DETAILS:

The following documents represent the Statement of Financial Activity for the period ending 31 January 2012:

Note	Description	Page
1.	Summary of Programmes/Activities	1-17
2.	Statement of Financial Activity by Programme Report	18
3.	Statement of Financial Activity by Nature or Type Report	19
4.	Statement of Financial Position	20
5.	Statement of Changes in Equity	21
6.	Notes to the Net Current Funding Position	22-23
7.	Capital Works Schedule	24-30
8.	Restricted Cash Reserves	31
9.	Sundry Debtors Report	32
10.	Rate Debtors Report	33
11.	Beatty Park Leisure Centre Report – Financial Position	34
12.	Variance Comment Report	35-41
13.	Monthly Financial Positions Graph	42-44

1. SIGNIFICANT ACCOUNTING POLICIES AND NOTES

The significant accounting policies and notes forming part of the financial report are 'Tabled' and shown in electronic Attachment 002.

Comments on the financial performance are set out below:

2. as per Appendix 9.3.3.

3. Statement of Financial Activity by Programme Report

Operating Revenue excluding Rates

YTD Actual	\$9,737,821
YTD Revised Budget	\$11,710,371
YTD Variance	(\$1,972,550)
Full Year Budget	\$19,174,015

Summary Comments:

The total operating revenue is currently 83% of the year to date Budget estimate.

Major contributing variances are to be found in the following programmes:

Governance – 173% over budget;
Law Order and Public Safety – 103% over budget;
Health – 3% under budget;
Education and Welfare – 59% over budget
Community Amenities – 32% over budget;
Recreation and Culture – 39% under budget;
Transport – 13% under budget;
Economic Services – 5% under budget; and
Other Property and Services – 11% over budget.

Note: Detailed variance comments are included on page 35 – 41 of Appendix 9.3.3.

Operating Expenditure

YTD Actual	\$24,372,433
YTD Revised Budget	\$24,783,102
YTD Variance	(\$410,669)
Full Year Budget	\$42,263,978

Summary Comments:

The total operating expenditure is currently 98% of the year to date Budget estimate

Major contributing variances are to be found in the following programmes:

Governance – 5% over budget;
Health – 2% under budget;
Education and Welfare – 2% under budget;
Community Amenities – 2% over budget;
Recreation and Culture – 6% under budget;
Transport – 7% under budget;
Economic Services – 24% over budget;
Other Property & Services – 38% over budget; and
General Administration (Allocated) – 535% over budget.

Note: Detailed variance comments are included on page 35 – 41 of Appendix 9.3.3.

Net Operating and Capital Excluding Rates

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

YTD Actual	\$12,686,877
YTD Revised Budget	\$19,756,878
Variance	(\$7,070,001)
Full Year Budget	\$23,333,918

Summary Comments:

The current favourable variance is due to timing of expenditure on capital expenditure.

Note: Detailed variance comments are included on page 35 – 41 of Appendix 9.3.3.

4. Statement of Financial Activity by Nature and Type Report

This statement of Financial Activity shows operating revenue and expenditure classified by nature and type.

**5. Statement of Financial Position and
6. Statement of Changes in Equity**

The statement shows the current assets of \$30,090,582 and non-current assets of \$189,872,027 for total assets of \$219,962,609.

The current liabilities amount to \$10,458,121 and non-current liabilities of \$19,059,173 for the total liabilities of \$29,517,294.

The net asset of the City or Equity is \$190,445,315.

7. Net Current Funding Position

	Note	31 Jan 2012 YTD Actual \$
Current Assets		
Cash Unrestricted	1	7,329,078
Cash Restricted	2	15,648,470
Receivables – Rubbish and Waste	3	3,528,473
Receivables – Others	4	3,972,855
Inventories	5	187,214
		30,666,088
Less: Current Liabilities		
Trade and Other Payables	6	(5,077,532)
Provisions	7	(2,423,887)
Accrued Interest (included in Borrowings)	8	(134,004)
		(7,635,423)
Less: Restricted Cash Reserves		(15,648,470)
Net Current Funding Position		7,382,195

The net current asset position as at 31 January 2012 is \$23,030,665.

Note: Detailed analyses are included on page 22-23 of Appendix 9.3.3.

8. Capital Expenditure Summary

The Capital Expenditure summary details projects included in the 2011/2012 budget and reports the original budget and compares actual expenditure to date against these.

	Budget	Year to date Revised Budget	Actual to Date	%
Furniture & Equipment	\$183,000	\$232,907	\$62,099	27%
Plant & Equipment	\$1,126,500	\$662,250	\$212,454	32%
Land & Building	\$15,154,425	\$7,892,325	\$2,996,057	38%
Infrastructure	\$12,082,448	\$3,841,998	\$2,220,041	58%
Total	\$28,546,373	\$12,629,480	\$5,490,650	43%

Note: Detailed analyses are included on page 24-30 of Appendix 9.3.3.

9. Restricted Cash Reserves

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

The balance as at 31 January 2012 is \$15.6m. The balance as at 31 January 2011 was \$9m. The increase is due to \$8.06m loan received from WA Treasury for Beatty Park Redevelopment.

10. Sundry Debtors

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$1,155,830 is outstanding at the end of January 2012.

Out of the total debt, \$281,129 (24.3%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking.

The Sundry Debtor Report identifies significant balances that are well overdue.

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

11. Rate Debtors

The notices for rates and charges levied for 2011/12 were issued on the 18 July 2011.

The Local Government Act 1995 provides for ratepayers to pay rates by four (4) instalments. The due dates for each instalment are:

First Instalment	22 August 2011
Second Instalment	24 October 2011
Third Instalment	5 January 2012
Fourth Instalment	8 March 2012

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

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

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

Rates outstanding as at 31 January 2012 including deferred rates was \$3,398,607 which represents 14.84% of the outstanding collectable income compared to 14.34% at the same time last year.

12. Beatty Park Leisure Centre – Financial Position Report

As at 31 January 2012 the operating deficit for the Centre was \$1,275,653 in comparison to the year to date budgeted deficit of \$291,249.

The cash position showed a current cash deficit of \$948,988 in comparison year to date budget estimate of a cash deficit of \$24,961. The cash position is calculated by adding back depreciation to the operating position.

It should be noted that the Cafe and Retail shop closed on 26th October, 2011. Both outdoor and the indoor pool are now closed for the redevelopment.

In addition the Swim school has been made available to interested patrons at Aqualife at the Town of Victoria Park for the period of the redevelopment.

As a result a revised budget for Beatty Park to reflect these changes of the operations in the centre is currently being prepared.

13. Variance Comment Report

The comments will be for the favourable or unfavourable variance of greater than 10% of the year to date budgeted. The Council has adopted a percentage of 10% which is equal to or greater than the budget to be material. However a value of \$10,000 may be used as guidance for determining the materiality consideration of an amount rather than a percentage as a minimum value threshold.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepared, each month, a statement of financial activity reporting on the source and application of funds as set out in the adopted Annual Budget.

RISK MANAGEMENT IMPLICATIONS:

Low: In accordance with Section 6.8 of the Local Government Act 1995, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of the Council.

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

“4.1 Provide good strategic decision-making, governance, leadership and professional management:

*4.1.2 Manage the organisation in a responsible, efficient and accountable manner;
(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”*

SUSTAINABILITY IMPLICATIONS:

Expenditure has been incurred in accordance with the adopted Budget which has been structured on financial viability and sustainability principles.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

All expenditure included in the Financial Statements is incurred in accordance with the Council's adopted Annual Budget or has been authorised in advance by the Council where applicable.

9.4.1 'KidSport' Grant Application

Ward:	Both	Date:	16 February 2012
Precinct:	All	File Ref:	FIN0154
Attachments:	001 – KidSport Package		
Tabled Items:	Nil		
Reporting Officers:	C Nazzari, Community Development Officer; J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Department of Sport and Recreation KidSport grant submission; and
2. **APPROVES** hosting an event for the promotion of the KidSport programme to various sporting clubs in the City of Vincent.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

PURPOSE OF REPORT:

To seek Council approval to participate in the KidSport programme, funded by the Department of Sport and Recreation.

BACKGROUND:

The overall aim for the KidSport programme is to create an inclusive programme for Western Australian children to participate in local community sport and recreation. In particular, families from low socio-economic backgrounds will be encouraged to participate in the programme.

KidSport will also allow eligible youth aged five (5) to eighteen (18) years living in the City of Vincent to apply for financial assistance to contribute towards club fees. These fees will go directly to the registered KidSport clubs participating in the programme. There is an opportunity for this programme to be sustainable over a four-year period, due to secured funding from the Department of Sport and Recreation.

Programme Aims

- Increased participation opportunities for eligible KidSport youth in sport and recreation clubs;
- Increase in new eligible KidSport participants joining sport and recreation clubs;
- Increased club membership;
- Strengthen Government support for community sport and recreation organisations; and
- Build strong relationships between State sporting associations, Local Governments and other Government agencies.

DETAILS:

The City of Vincent will coordinate the administration, promotion and validation of the KidSport applications. Other referral agents will support the programme, along with other relevant community organisations, State sporting associations and local sport and recreation clubs.

Eligibility

- The applicant must be aged between five (5) and eighteen (18) years;
- The applicant must have a Health Care Card, Pension Concession Card or have received a referral from a recognised agent, for example, school teacher, doctor, police or social worker; and
- The applicant must reside in the City of Vincent.

Further information

- Funding will cover the cost of fees to join the nominated sport or recreation club;
- A maximum of up to \$200 (voucher) per child will be granted;
- Applicants can only receive funding once per calendar year;
- Fees are only for the nominated registered season;
- No retrospective fees will be paid;
- No limitation to applications per family as long as criteria is met; and
- An applicant can be validated by a recognised referral agent.

CONSULTATION/ADVERTISING:

The City anticipates hosting an event to launch and promote the KidSport programme. Local sporting clubs and other relevant stakeholders in the City of Vincent will be invited to attend. The aim of the event will be to encourage capacity building and networking between sporting associations to encourage the sustainability of local sporting programmes, including the KidSport Programme. The event will also provide the opportunity for sporting clubs to promote their existing programmes to encourage future partnerships.

Throughout the consultation process, the Department of Sport and Recreation will supply all printing material at no cost to the City of Vincent.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Low: The acceptance of the grant has low risk implications.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 3 states:

“Community Development and Wellbeing

3.1.3 Promote health and wellbeing in the community

- (a) Development and implement a Healthy Lifestyle Plan to promote the health and wellbeing of the City of Vincent Residents.”*

SUSTAINABILITY IMPLICATIONS:

There is an opportunity for this programme to be sustainable over a four-year period, due to secured funding from the Department of Sport and Recreation.

FINANCIAL/BUDGET IMPLICATIONS:

It is proposed that the City of Vincent accepts fifty (50) vouchers at \$200 each for a trial period between February and June 2012. It will be determined after the trial period whether an increased amount of funding is necessary for the continuation of the programme and whether any modifications are needed to abide to the grant agreement.

Delivery of the programme, including the launch, will cost approximately \$1,000 allocated from the Youth Events budget account.

In regards to the printing of the promotional material for the KidSport programme, there will be no cost implications to the City of Vincent.

COMMENTS:

The KidSport programme has been overwhelmingly successful in other Local Governments in the Perth Metropolitan area. The programme has proved to be highly supported and valued by local sporting clubs and the community.

The programme would provide the City with a valuable opportunity to complement the Strategic Plan and support healthy youth initiatives in the local area.

9.5.2 Occupational Safety and Health Management Plan 2012 – 2015

Ward:	Both	Date:	17 February 2012
Precinct:	All	File Ref:	PER0024
Attachments:	001 – Occupational Safety and Health Management Plan 2012-2015		
Tabled Items:	-		
Reporting Officer:	A Smith, Manager Health Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the City of Vincent Occupational Safety and Health Management Plan 2012 – 2015 as shown an Appendix 9.5.2; and
2. **NOTES** that the Occupational Safety and Health Management Plan 2012 – 2015 will be implemented on an on-going basis during 2012 and 2013, by the Chief Executive Officer, as part of his role for being responsible for employee matters.

COUNCIL DECISION ITEM 9.5.2

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to approve of the City of Vincent Occupational Safety and Health Management Plan 2012 – 2015.

BACKGROUND:

The Occupational Health and Safety (OSH) Management Plan confirms the City's commitment to achieve and maintain the systematic management of occupational health and safety in order to provide a safe working environment for its employees.

The purpose of the Plan is to achieve best practice in occupational safety and health by building a safety culture dedicated to minimising risk and preventing injuries and ill health to employees, contractors and general public, ensuring all can operate in a safe and healthy environment whilst at the workplace.

The City's first OSH Management Plan was adopted by Council at its meeting held on 2 December 2008.

CONSULTATION/ADVERTISING:

Not required. The OSH Management Plan 2012-2015 will be issued to all Directors, Managers and Supervisors once received by the Council. It will also be available on the City's intranet for all employees to access.

LEGAL/POLICY:

The City already has a number of OSH related policies.

The City is legally required to provide a *"duty of care"* to its employees.

RISK MANAGEMENT IMPLICATIONS:

Low: There is no legislative required for a local government to have an OSH Management Plan, however it is considered best practice to.

STRATEGIC IMPLICATIONS:

In keeping with the City's Strategic Plan 2011 – 2016, Objective 4.2.1(c) – *Review and continue to implement the City's Occupational Safety and Health Plan.*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The implementation of various initiatives detailed in the OSH Management Plan 2012 – 2015 are contained within the City's operating budget.

COMMENTS:

The OSH has been prepared in liaison with the Local Government Insurance Services, who are the City's Occupational Safety and Health Consultants.

9.5.3 Equal Employment Opportunity Management Plan 2012 – 2014

Ward:	Both	Date:	17 February 2012
Precinct:	All	File Ref:	PER0024
Attachments:	001 – Equal Employment Opportunity Management Plan 2012-2014		
Tabled Items:	-		
Reporting Officer:	A Smith, Manager Human Resources		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **ENDORSES** the City of Vincent Equal Employment Opportunity Management Plan 2012 – 2014 as shown an Appendix 9.5.3; and
2. **NOTES** that the Equal Employment Opportunity Management Plan 2012 – 2014 will be implemented on an on-going basis during 2012 and 2013, by the Chief Executive Officer, as part of his role for being responsible for employee matters.

COUNCIL DECISION ITEM 9.5.3

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to endorse the City of Vincent Equal Employment Opportunity Management Plan 2012 – 2014.

BACKGROUND:

In 2008 the then Office of Equal Employment Opportunity (now Public Sector Commission) advised that the City that in accordance with the Equal Opportunity Act 1984 all local governments were required to prepare and implement an Equal Opportunity Management Plan.

The purpose of the Plan is to provide each local government with a strategic focus to maximise human resource potential, enhance productivity and can be an effective way of meeting core business goals and aligning workforce profile and culture with local communities.

At its meeting held on 9 September 2008, the Council endorsed the City's first Equal Employment Opportunity Management Plan for 2008 – 2011.

DETAILS:

The City submitted its Equal Employment Opportunity Plan 2012 – 2014 on 12 December 2011.

A letter has been received from the Public Sector Commission confirming receipt of the City's Plan and stating:

"The City has produced a positive Equal Employment Opportunity (EEO) Management Plan which expands upon the required checklist for local government authorities. The Plan provides a solid framework for the outcomes to be achieved with a good range of existing and proposed strategies and strategies for review that meet the requirements of section 145(2) of the Equal Opportunity Act 1984.

Well done on the EEO principles the City of Vincent will commit to over the life of the Plan. A strong focus in the training and development area has been identified and this indicates an organisation that values the needs of its employees.

...

The City of Vincent is to be commended on submitting a Plan which goes over and above the expected level of commitment to equal employment opportunity within your organisation."

CONSULTATION/ADVERTISING:

Not required. The EEO Management Plan 2012-2014 is available on the City's website.

LEGAL/POLICY:

The EEO Management Plan is a requirement of the Equal Opportunity Act 1984.

RISK MANAGEMENT IMPLICATIONS:

High: It is a statutory requirement for a local government to have an EEO Management Plan in place. Failure to do so would be a breach of the Equal Employment Opportunity Act 1984.

STRATEGIC IMPLICATIONS:

In keeping with the City's Strategic Plan 2011 – 2016, Objective 4.2.1(d) – *Review and continue to implement the City's Equal Employment Plan.*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The implementation of various initiatives detailed in the Equal Employment Opportunity Management Plan 2012 – 2014 are contained within the City's operating budget.

COMMENTS:

It is recommended that the City's Equal Employment Opportunity Management Plan 2012 - 2014 be received and endorsed.

9.5.5 Information Bulletin

Ward:	-	Date:	17 February 2012
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 28 February 2012, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.5

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

DETAILS:

The items included in the Information Bulletin dated 28 February 2012 are as follows:

ITEM	DESCRIPTION
IB01	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/371 of 2011 – Parry Street WA Pty Ltd & Anor v City of Vincent, Nos. 178-182 (Lot 28) Stirling Street, Perth
IB02	Email of Appreciation from Ms M. Giacoppo complimenting the City on a successful Criterium Racing in Leederville on 13 February 2012
IB03	Email of Commendation from Mr G. Lee regarding Excellent Customer Services
IB04	Unconfirmed Minutes of the Design Advisory Committee (DAC) Meeting held on 1 February 2012
IB05	Minutes of the Safer Vincent Crime Prevention Partnership (SVCPP) Meeting held on 1 February 2012
IB06	Minutes of the Loftus Recreation Centre Management Committee Meeting held on 9 February 2012
IB07	Minutes of the Integrated Transport Advisory Group (ITAG) Meeting held on 9 February 2012

9.1.2 No. 59 (Lot 4) Bulwer Street, Perth – Proposed Change of Use from Shop (Garden Centre) and Open Air Display Area to Vehicle Sales Premises

Ward:	South	Date:	14 February 2012
Precinct:	Beaufort, P13	File Ref:	PRO0780; 5.2011.616.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items:	Applicant's Submission		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Kunan Hoffman on behalf of the owner B Singh and G Kaur for proposed Change of Use from Shop (Garden Centre) and Open Air Display Area to Vehicle Sales Premises at No. 59 (Lot 4) Bulwer Street, Perth, and as shown on plan stamp-dated 13 December 2011, subject to the following conditions;

1. Building

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

1.2 The applicant shall comply with the definition of Vehicle Sales Premises as defined in the City of Vincent Town Planning Scheme No. 1;

2. Car Parking and Accessways

The car parking area(s) on the subject land shall be sealed, drained 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 City;

3. Signage

All signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and

4. Road/Verge Bond

A Road, Verge security bond of \$800 payable by the builder shall be lodged with the City prior to the issue of a Building Licence and be held until all building/development works have been completed and/or any disturbance of, or damage to, the City's infrastructure, including street verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing. This bond is non-transferable.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (5-4)

For: Cr Buckels, Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

Against: Mayor Hon. MacTiernan, Cr Carey, Cr Harley, Cr Pintabona

Landowner:	B Singh and G Kaur
Applicant:	Allerding & Associates
Zoning:	Metropolitan Region Scheme: (MRS) Urban; and Town Planning Scheme No. 1 (TPS 1): Residential/Commercial R80
Existing Land Use:	Shop (garden centre) (vacant)
Use Class:	Vehicle Sales Premises
Use Classification:	"SA"
Lot Area:	433 square metres
Access to Right of Way:	Not Applicable

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given the vehicles sales premises is an "SA" use under the Town Planning Scheme and objections have been received.

BACKGROUND:

9 December 1996 The Council at its Ordinary meeting conditionally approved a change of use from open air storage yard to vehicle sales premises.

13 May 2003 The Council at its Ordinary meeting conditionally approved a change of use from vehicle sales premises to shop (garden centre) with ancillary open air display area, sail shades and signage.

DETAILS:

The proposal is for a change of use from shop (garden centre) and open air display area to a vehicle sales premises.

The applicant's submission is "*Tabled*" which is summarised as follows:

- The site will be used for selling second hand cars;
- The vehicle sales premises will be open from 9.30 am to 5.30 pm Monday to Friday and 9.30 am to 12 noon on Saturday; and
- There will be no servicing of cars or use of any machines, the site will be used for vehicle sales only.

Consultation	
In Support:	Nil (0)
Comments Received	Officer Comments
Nil	Noted.
Objections:	Four (4)
Comments Received	Officer Comments
<u>Use</u> "The property is already being used as a car yard and has been for 4 years. Owners have not previously sought Council approval for this use."	Not supported. There are two previous approvals for vehicle sales premises and garden centre. A site visit has confirmed that a vehicle sales premises is not being operated.
The proposed use is not compatible with the existing residential use in the surrounding area.	Not supported. Refer to "Comments" below.

Consultation	
<p><u>Parking and Car Traffic</u></p> <p>There is a shortage of street parking in the area.</p> <p>There will be traffic impact on Bulwer Street.</p>	<p>Not supported. The proposal complies with the parking requirement as shown in the Car Parking assessment table.</p> <p>Not supported. The City's Technical Services consider the development will not have any unreasonable impact on traffic in the area.</p>
<p><u>Noise</u></p> <p>There will be noise pollution.</p>	<p>Not supported – The applicant is required to comply with the noise regulations.</p>
Advertising	<p>The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation.</p>

Other Implications	
Legal/Policy	TPS 1 and associated Policies.
Strategic	<p>The City's <i>Strategic Plan 2011-2016</i> - Objective 1 states:</p> <p><i>"Natural and Built Environment</i></p> <p>1.1 <i>Improve and maintain the natural and built environment and infrastructure</i></p> <p>1.1.2 <i>Enhance and maintain the character and heritage of the City."</i></p>
Sustainability	Nil.
Financial/Budget	Nil.

Car Parking

Commercial Car Parking	
<p>Car parking requirement (nearest whole number):– vehicle sales and hire premises (3 spaces for the first 200 square metres of display and sales area and thereafter 1 space per 100 square metres of display and sales area or part thereof) – 139 square metres (4 car bays)</p> <p>Total = 4.39 car bays= 4 car bays</p>	<p>4 car bays</p>
<p>Apply the adjustment factors:</p> <ul style="list-style-type: none"> • 0.85 (within 800 metres of a railway station) • 0.85 (within 400 metres of a bus stop/station) • 0.85 (within 400 metres of existing public car parking with an excess of 75 spaces) 	<p>(0.614)</p> <p>= 2.456 car bays</p>
<p>Minus the car parking provided on-site.</p>	<p>2 car bays</p>
<p>Minus the most recently approved on-site car parking shortfall (At the Ordinary Meeting of Council held on 13 May 2003 a shortfall of 0.44 car bays was approved)</p>	<p>0.44 car bays</p>
Shortfall	0.016 car bays

COMMENTS:

As per the City of Vincent Town Planning Scheme No. 1, a vehicle sales premises is classified as an "SA" use. This means that the use is not permitted unless Council has exercised its discretion and has granted planning approval after giving special notice in accordance with Clause 37. The City's Policy No. 3.1.13 relating to the Beaufort Precinct encourages the area to be transformed from a predominantly commercial area to an area of compatible residential and commercial uses. Commercial uses are not to be permitted to develop independently of residential uses.

The Policy further states that a variety of compatible commercial uses are to be encouraged, with these uses mostly being to service the city centre and the research and development, community of the adjacent East Perth Redevelopment Area.

A vehicle sales premises was approved previously on the subject site and has operated at one point in time. Therefore the vehicle sales premises approval established a wholly commercial use for the site. Furthermore, the other approval for the site, a garden centre, further confirms that the site has been used as wholly commercial. Therefore, the proposed use is not creating a new commercial use on the site; rather the use is reverting back to a former approved use of the site. Furthermore there have been no complaints from the adjoining neighbours in the operation of both the vehicle sales premises and the garden centre. By allowing a vehicle sales premises to operate from the existing site, which involves no change to the existing buildings on site, does not prevent the redevelopment of site for a mixed use or residential development in the future.

With regard to parking the City's Policy No. 3.7.1 relating to Parking and Access specifies that if the resultant shortfall of parking is less than or equal to 0.5 bay, no parking bays or cash-in-lieu of parking is required for shortfall. In this instance the shortfall is 0.016 car bay and accordingly there is no requirement for cash-in-lieu.

In view of the above, it is considered that the proposed change of use will not have an undue impact on the amenity of the area. Accordingly, the proposal is recommended for approval.

9.1.3 Nos. 215-229 (Shop No. 219) (Lot 1; D/P: 384) Bulwer Street, Perth – Proposed Change of Use from Eating House to Unlisted Use (Small Bar)

Ward:	South	Date:	14 February 2012
Precinct:	Hyde Park, P12	File Ref:	PRO0979; 5.2011.561.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items	Applicant's Submission		
Reporting Officer:	A Dyson, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Copraxis Architects on behalf of the owners A M Costanzo & F M McMahon for proposed Change of Use from Eating House to Unlisted Use (Small Bar), at Nos. 215-229 (Shop No. 219) (Lot 1; D/P: 384) Bulwer Street, Perth and as shown on plans stamp-dated 8 November 2011, subject to the following conditions:

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Bulwer Street;
2. The windows, doors and adjacent floor area facing Bulwer Street shall maintain an active and interactive frontage to this street;
3. ~~Any new street/front wall, fence and gate within the Bulwer Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;~~
The hours of operation of the small bar shall be limited to 12 noon to 12 midnight Monday to Saturday, and closed Sunday, inclusive;
4. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
5. Use of the Premises
 - 5.1 The maximum patronage for the premises shall be 41 persons;
 - 5.2 Packaged liquor shall not be sold at the premises; and
 - 5.3 No live bands shall perform at the premises;
6. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:
 - 6.1 Refuse and Recycling Management Plan
Bin numbers, collection and stores shall meet with the City's minimum service provision; and

7. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:**

7.1 **Management Plan**

A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City, and thereafter implemented and maintained. ~~In addition, venue management is to ensure regular attendance at 'Vincent Accord' meetings and compliance with the Accord's strategies. In particular, display of the 'Vincent Accord' Certificate, Posters and distribution of the Community Information Flyer to residents (with a covering letter detailing Venue Manager details).~~

ADVISORY NOTE

Venue management is encouraged to ensure regular attendance at 'Vincent Accord' meetings and compliance with the Accord's strategies. In particular, display of the 'Vincent Accord' Certificate, Posters and distribution of the Community Information Flyer to residents (with a covering letter detailing Venue Manager details).

Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.

COUNCIL DECISION ITEM 9.1.3

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

Against: Cr Pintabona

Landowner:	A M Costanzo & F M McMahon
Applicant:	Copraxis Architects
Zoning:	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Local Centre
Existing Land Use:	Shop
Use Class:	"SA"
Use Classification:	Unlisted Use
Lot Area:	728 square metres (215-229 Bulwer Street – Lot 1)
Access to Right of Way	N/A

PURPOSE OF REPORT:

The report is referred to a meeting of Council as there is no Officer delegation to approve an application where more than five (5) objections have been received.

BACKGROUND:

1 July 2011 Planning Approval granted under delegated Authority for Change of Use from Shop to Eating House.

DETAILS:

The proposal involves a change of use from an approved eating house (previous shop) to an Unlisted Use (Small Bar) at Nos: 215-229 Bulwer Street, Perth. The subject tenancy is No. 219 Bulwer Street.

The small bar is proposed to operate between the hours of 12 noon and 12 midnight Monday to Saturday, with Sunday being closed. The proposed use is to operate with a maximum of two (2) employees at full capacity and intended to service a maximum of forty-one (41) patrons, within the tenancy.

There are no proposed changes to the external façade however internally; a bar will be installed with other commercial grade equipment including a coffee machine, dishwashers and fridges, as well as two toilets to the rear of the tenancy. Entertainment will be limited to low volume background music from a small stereo.

The applicant's have provided a submission in support of the application which is 'Tabled'.

Consultation	
In Support:	Four (4)
Comments Received	Officer Comments
Nil	Noted.
Objections:	Five (5) and [Two (2) Concerns]
Comments Received	Officer Comments
<ul style="list-style-type: none"> • Concern regarding the proposal given the location of 3 hotels in close proximity to the proposed bar. Of particular concern is that noise is increasing in this area especially after midnight. Concern also as the bar is proposed to be located opposite existing residential dwellings. • Concerns relating to the lack of car parking on site and concerns in relation to the proposed opening hours. Request that the proposed only be open from midday to 11pm Sunday to Thursday and midday – 12pm on Friday and Saturday nights but with an 11pm lockout. • Concerns regarding any possible bands or musical groups allowed at the venue. 	<p>Noted. The proposed small bar establishment is not of a similar nature to the 3 hotels within close proximity to the site, patronage will be significantly lower, the small bar will not trade after 12pm and the intention of the establishment is the creation of a more intimate dining “restaurant” type environment. It is noted as part of the condition of approval that the applicant would be required to provide a Management Plan for patrons when exiting the property and controlling noise from clientele.</p> <p>Noted. The proposed tenancy, given the historical parking shortfall approved for the site, is compliant in terms of parking (See Parking Table). The proposed tenancy is to be open between the hours of 12 noon and 12 midnight, Monday to Saturday with no Sunday trading. It is therefore considered the hours are not unreasonable for a tenancy of this nature.</p> <p>Noted. The establishment is proposed to be an intimate with only low volume music being played and no bands or musical groups proposed. In addition, the City's Health Services are able to action complaints under the Environmental Protection (Noise) Regulations 1997. Further, the applicants have advised that a detailed environmental and noise impact assessment can be provided.</p>

Consultation	
<ul style="list-style-type: none"> Object to any proposal for a small bar establishment and its possible anti social behaviour that could be generated from it in a residential area. 	<p>Noted. The applicants have noted in their submission, for patrons leaving the establishment, to preorder taxi's from the venue as well as advising customers of the need to be quiet and courteous to residents in close proximity to the area. In addition, the applicant would be required to submit a Management Plan for the control of patrons exiting the premises and to maintain noise to within acceptable legal limits.</p>
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation.

Other Implications	
Legal/Policy	City of Vincent Town Planning Scheme No. 1, City of Vincent Planning and Building Policy.
Strategic	The City's <i>Strategic Plan 2011-2016</i> - Objective 1 states: <i>"Natural and Built Environment</i> <i>1.1 Improve and maintain the natural and built environment and infrastructure</i> <i>1.1.2 Enhance and maintain the character and heritage of the City."</i>
Sustainability	Nil
Financial/Budget	Nil

Car Parking Calculation	
<p>Car parking requirement (nearest whole number):</p> <p>a) Proposed Small Bar– (1 bay per 4.5 persons of maximum number of persons approved for the site – 41 persons proposed internally) – 9.11 car bays;</p> <p>b) Existing Eating House – 89m² (1 bay per 4.5m² of public area) – 19.77 car bays;</p> <p>c) Shop – 118m² (1 bay per 15m²) – 7.87 car bays;</p> <p>d) Shop – 156m² (1 bay per 15m²) – 10.4 car bays;</p> <p>e) Recreation Facility– 257m² (1 bay per 30m²) – 8.57 car bays;</p> <p>f) Caretaker's Residence – N/A (2 bays per dwelling) – 2.0 car bays; and</p> <p>g) Consulting Rooms – 133m² (1 bay per 50m²) – 2.66 car bays.</p> <p>h) Existing Eating House – 32.85m² (1 bay per 4.5m² of public area) – 7.3 car bays</p> <p>(60.38 67.68 car bays)</p>	<p>= 60.00 <u>68.00</u> car bays</p>
<p>Apply the adjustment factors.</p> <ul style="list-style-type: none"> 0.85 (Within 400 metres of a bus stop) 	<p>(0.85) = 51.00 <u>57.80</u> car bays</p>
Minus the car parking provided on-site.	Nil car bays
Minus the most recently approved on-site car parking shortfall (27 July 1998 – Change of Use Approval from Shop to Local Shop and Eating House – 72.7 car bays x 0.85)	61.80 car bays
New Surplus	40.8 <u>4.00</u> car bays

In the event of the Existing Recreational Facility (Phon's Gym) being found to be a 100% Recreational Facility, rather than include a Caretaker's Residence, the table and any future development application assessments will be updated to include the reduction in parking of two (2) car bays from the total car parking. The City's Development Compliance Officer will investigate.

Note: The above Car Parking Calculation Table was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.

Bicycle Parking
Not Applicable

COMMENTS:

Small Bar

In May 2007, an amendment was made to section 41 of the *Liquor Control Act 1988*, to include a Small Bar Licence as a form of Hotel Licence. A Small Bar Licence differs from Hotel and Tavern Licences by the conditions imposed to restrict the scope of the licence. A Small Bar Licence is a form of a Hotel Licence with:

- A condition prohibiting the sale of packaged liquor; and
- A condition limiting the number of persons who may be on the licensed premises to a maximum of 120.

The proposed Small Bar is an unlisted use or "SA" under the City of Vincent Town Planning Scheme No. 1. "SA" use means that the use is not permitted unless Council has exercised its discretion and has granted planning approval after giving special notice in accordance with Clause 37.

It is considered the proposed small bar establishment will not be dissimilar to the existing uses in this Bulwer Street shopping precinct with the Nine Fine Food Restaurant and the Nahm Thai Restaurant in close proximity. It is also considered the tenancy is of a relatively limited nature for a small bar establishment and designed to cater for a different clientele that could be reasonably expected of a normal bar establishment. In addition it is considered at least in the short term the premises will attract a number of local persons which are to be expected in a Local Centre zoned property.

Hyde Park Precinct

It is noted that within the Hyde Park precinct, careful control is required to be exercised over the nature of any proposed uses to ensure minimal disruption to adjoining residential property tenants. It is considered the proposed small bar use will not be dissimilar to the previously approved Eating House premises, given the premises small area and the nature of the operations for a small clientele and intimate atmosphere.

Parking

The proposed parking provisions for a Small Bar establishment, according to the City's Parking and Access Policy, require 1 space per 4.5 persons of the maximum number of persons approved for the site. As detailed above, a ~~40-8~~ 4.00 car bay surplus will result in approving this application.

Note: *The above paragraph was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

In light of the above, given the small bar's location in a Local Centre which is designed to service the immediate local community, and given the restricted clientele numbers for the proposal, the use is not considered to unduly impact the locality. It is considered also that the presence of revitalised restaurants and other small shops within the Bulwer Street complex provide surrounding residents, activities and uses that would be expected in an inner-city locality. Additionally, given the small bar patronage is likely to be mainly derived from the local community, the impact of any parking to the site is not considered, given the small bar's scale and nature, to have an undue impact on the amenity of the area.

Accordingly, it is recommended that the application be approved as per the Officer Recommendation.

9.1.6 No. 20/1 (Lot 500; D/P: 47392) Dunedin Street, Mount Hawthorn – Proposed Change of Use from Residential to Unlisted Use (Short Term Accommodation)

Ward:	North	Date:	16 February 2012
Precinct:	Mount Hawthorn P1	File Ref:	PRO5629; 5.2011.629.1
Attachments:	001 – Property Development Report and Development Application Plans		
Tabled Items:	Applicants justification to the Short Term Accommodation Policy		
Reporting Officer:	S De Piazzì, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

1. in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, REFUSES the application submitted by T Parker on behalf of T Parker & H Erickson for the proposed Change of Use from Residential to Unlisted Use (Short Term Accommodation), at No. 20/1 (Lot 500; D/P: 47392) Dunedin Street, Mount Hawthorn, and as shown on plans stamp-dated 21 December 2011, for the following reasons:

- 1.1 the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;
- 1.2 the non-compliance with the City's Policy No. 3.4.5 relating to Short Term Accommodation, with regard to:
 - 1.2.1 the applicant has not provided evidence that the strata body approves the proposal, and that appropriate by-laws will be entered into the strata management statement;
- 1.3 the single unit Short Term Accommodation would set a negative precedent for other residential unit owners within residential unit complexes to apply for Short Term Accommodation;
- 1.4 the use would result in a transient population accessing the complex on a regular basis, which would have a cumulative negative impact on the remaining long term residents and surrounding community; and
- 1.5 consideration of objections received from owners/occupants directly within the strata complex; and

2. REQUIRES the Applicant:

- 2.1 within 28 days of the issue date of the 'REFUSAL TO COMMENCE DEVELOPMENT', to pay the retrospective fee of \$556 to the City; and**
- 2.2 to cease immediately the unauthorised use of the property for Short Term Accommodation. Failure to comply may result in the City commencing enforcement proceedings in accordance with the City's Prosecution and Enforcement Policy.**

Note: *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

COUNCIL DECISION ITEM 9.1.6

Moved Cr Pintabona, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr McGrath, Seconded Cr Buckels

That the item be DEFERRED for further investigation and clarification of the Policy.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

Landowner:	T Parker & H Erickson
Applicant:	T Parker
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R 60
Existing Land Use:	Residential Dwelling
Use Class:	Unlisted Use (Short Term Accommodation)
Use Classification:	"SA"
Lot Area:	Unit 20: 114m ² (Total lot area: 3,275m ²)
Right of Way:	Not applicable

PURPOSE OF REPORT:

The proposed 'SA' use has received a total of nine comments, of which all were objections. As a result of this, the application is required to be referred to Council for determination.

BACKGROUND:

Not applicable.

DETAILS:

The change of use proposal involves persons renting and staying at the residence for between one and three months at a time, with the unit being occupied roughly 65 percent of the time. No more than two people would be staying at the unit at any time; two car parking bays are provided.

CONSULTATION/ADVERTISING:

NON-COMPLIANT REQUIREMENTS		
ZONING	REQUIRED	PROPOSED
Residential R 60	As the proposed use is considered an "SA" use in residentially zoned areas it is required to undergo 21 day advertising.	Unlisted Use (Short Term Accommodation)
Officer Comments:		
Not Supported. The proposal has resulted in a number of complaints from owners and occupiers within the strata complex during the advertising stage, and no formal approval or endorsement from the Council of Owners or Strata Body has been provided. Approval of this use would set a precedent for other units to potentially follow suit, which may result in a reduction of the residential amenity of the complex and a less than desirable outcome for the remaining long term residents.		

Car Parking	
Car parking requirement (nearest whole number) • Short Term Accommodation – 1 space per bedroom or 3 beds, whichever is greater. Bedrooms = 2 (requires 2 car bays) Total car bays required = 2 car bays	2 car bays
Adjustment factors • 0.85 (within 400 metres of a bus stop/station) • 0.95 (within 400 metres of 25 public car parking spaces) Total adjustment factor = 0.8075	1.6151 car bays
Minus the car parking provided on-site	2 car bays
Minus the previously approved on-site car parking shortfall Not applicable	Nil
Resultant Surplus	0.385 car bays

Consultation	
In Support:	Nil (0)
Comments Received	Officer Comments
Nil.	Nil.
Objections:	Nine (9)
Comments Received	Officer Comments
<ul style="list-style-type: none"> Approving this use will result in an increase in the movement of the occupiers which will intensify the use and as a result have a negative impact on the amenity all of the surrounding strata owners/occupiers. Approving this approval will set precedent that will allow for other apartment units to also become Short Term Accommodation ultimately allowing the complex to resemble a hotel, which is not appropriate in a residential precinct. Concern that the residents who use Short Term Accommodation often provides for people seeking to use the unit for holiday/party which is of concern it is will create disturbance to the long term residents as often short term residents will not have the same respect or consideration for neighbouring properties. Security of the complex will be compromised with many different people coming and going. It will be harder to rent/sell properties within the complex as Short Term Accommodation has negative connotations, resulting in a financial impact on the owners. The owners of unit 20 have already commenced using the property as short term approval prior to receiving City of Vincent approval. 	<p>Noted. The applicants propose to have the unit being rented out on average for one to three months at a time.</p> <p>Supported. Whilst Short Term Accommodation as a use is not in itself not supported, it is considered such a use in isolation can have a significant impact on the rest of the complex, and approving it will set a precedent for other units to follow suit. This could lead to an accumulated impact which would reduce the amenity of the complex's long term residents.</p> <p>Noted. It is noted; however, that all residents would be provided contact details of 'Executive Apartments' who are proposed to manage the unit.</p> <p>Not supported. Only one swipe card would be provided to the occupier of the unit at any time, and would be returned upon their leaving. As it is a swipe card as opposed to a key it is unlikely that copies would be made.</p> <p>Not supported. This is not considered a planning issue.</p> <p>Noted. The City's Development Compliance Officer has been requested to investigate the matter.</p>

LEGAL/POLICY:

Town Planning Scheme No. 1.

COMMENTS:

Short Term Accommodation is an 'SA' use within a Residential area. It is further noted there is a shortage of this type of accommodation in suburban areas and proposals of this nature can be considered in appropriate locations.

Notwithstanding the above, given the number of objections received from directly affected owners/occupiers (nine complaints received in total) within the complex, and a lack of any support or endorsement, it is considered that this proposal would likely have a negative impact on the day to day general amenity of residents in this complex. Accordingly it is recommended that the application be refused.

**9.1.7 Further Report – Amendment No. 79 to Planning and Building Policies
– Policy No. 3.5.6 relating to Telecommunication Facilities**

Ward:	Both	Date:	15 February 2012
Precinct:	All	File Ref:	PLA0001
Attachments:	001 – Draft Amended Policy No. 3.5.6 002 – Statement of Planning Policy 5.2		
Tabled Items:	Nil		
Reporting Officer:	A Fox, Planning Officer (Strategic)		
Responsible Officer:	T Young, Strategic Planning, Sustainability and Heritage Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.5.6 relating to Telecommunications Facilities, as shown in Appendix 9.1.7, in accordance with Clause 47 (5) (b) of the City's Town Planning Scheme No. 1; and
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.5.6 relating to Telecommunications Facilities as shown in Appendix 9.1.7, in accordance with Clause 47 (6) of the City's Town Planning Scheme No. 1.

COUNCIL DECISION ITEM 9.1.7

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr Harley departed the Chamber at 6.54pm.

Debate ensued.

MOTION PUT AND CARRIED (7-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

Against: Cr Pintabona

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

FURTHER REPORT:

The Council at its Ordinary Meeting held on 6 December 2011, resolved to defer the adoption of the final amended version of the subject Policy, and resolved as follows:

"That the item be DEFERRED for further consideration."

The City's Officers have sought further clarification on the deferral of this item. It is understood that the basis for the deferral of this item was the following:

- a) to consider simplifying the Policy;

- b) to consider comments raised by the Council Members in relation to the amended Policy; and
- b) to liaise with the Mobile Carriers Forum to clarify and discuss their suggested amendments.

In further amending the Policy No. 3.5.6 relating to Telecommunication Facilities, the City's Officers have considered the concerns raised by Council Members, the community and the Mobile Carriers Forum (MCF), and have incorporated these where applicable.

Further Feedback from MCF

In amending the draft Policy No. 3.6.5 relating to Telecommunication Facilities, further feedback was sought from the MCF, particularly in relation to ensuring that the Policy addressed the following objectives:

- facilitating the development of telecommunications within the City in a responsible and effective manner;
- balancing the City's need for telecommunication infrastructure with the concerns that are present within the community;
- appropriately adhering to relevant Federal and State legislation that provides the legislative framework for all Telecommunications Infrastructure; and
- ensuring consistency with the Western Australian Planning Commission's *Statement of Planning Policy 5.2 – Telecommunications Infrastructure* (SPP 5.2), which provides the planning framework to inform decisions relating to telecommunication facilities.

Further Amendments to the Policy

Consistent with the advice from the MCF and further review of the Policy, amendments have been made to ensure that the Policy addresses the objectives listed above.

Of particular note, the Policy has been streamlined to address the key elements of the SPP 5.2, as follows:

- 5.1 - Guiding Principles for the Location, Siting and Design of Telecommunications Infrastructure; and
- 5.2 - Matters to be Considered when Determining Planning Application.

Clause 5.1 of SPP 5.2 provides sound guiding principles for the location, siting and design of telecommunication infrastructure, in terms of site selection, co-location, sensitive uses, heritage, visual amenity and site design. Given this, it is considered unnecessary to duplicate this information in the City's Policy No. 3.5.6 relating to Telecommunication Facilities. Therefore, clauses 4), 5), 6), 7) and 8) of the draft version of the Policy have been removed, to avoid duplication and ensure consistency with State Planning Policy.

Clause 5.2 of SPP provides a list of matters to be considered when determining development applications for telecommunication infrastructure, including; service delivery and coordination, environmental impacts, cultural heritage and amenity. Similarly to the above, rather than duplicating these matters in the City's Policy No. 3.5.6, amendments have been made to reference the relevant clauses of the SPP 5.2.

In addition, clause 10 of Policy 3.5.6 that related to General Requirements has also been removed from the draft amended Policy. The reason for this is that the clause relates specifically to 'microcells' which were included in the City's current Policy No. 3.5.6, but on advice from the MCF were removed from the Policy, on the basis that the City is not in a position through Policy provisions, to control the technical aspects of the telecommunication facilities.

Summary

The City's Officers have liaised with the MCF throughout the process of further amending Policy No. 3.5.6, and provided them with a copy of the draft amended version of the Policy as shown in Appendix 9.1.7. The following comments were provided by the MCF representative on Friday, 10 February 2012, on receipt of this draft version:

'On behalf of the MCF, we would like to thank you for your efforts and consultation on this matter. We confirm that the MCF has no further comments on the draft policy and we look forward to seeing the item presented at the next available OMC.'

The City's Officers consider that the proposed changes to draft Policy No. 3.5.6 relating to Telecommunications Facilities strikes a balance between providing adequate telecommunication service within the City, whilst protecting the community's interests. The result of further Policy amendments is a simplified version of the Policy that is consistent with State and Federal telecommunications legislation and is unambiguous in its intent.

COMMENTS:

Given the above response to the concerns raised at the Ordinary Meeting of Council held on 6 December 2011, it is recommended that the Council adopts and advertises the further amended final version of the Policy No. 3.5.6 relating to Telecommunications Facilities, in accordance with the Officer Recommendation.

The Minutes of the Item 9.1.7 placed before the Council at its Ordinary Meeting held on 6 December 2011 are available on the City's website and viewed from the following link:
http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes.

The Chief Executive Officer advised that as this Item was raised by a person in the Public Gallery, he suggested this Item be brought forward in the Order of Business.

9.2.3 Forrest Park and Surrounding Parks – Current and Proposed Future Uses

Ward:	South	Date:	17 February 2012
Precinct:	Forrest (14)	File Ref:	RES0039
Attachments:	001 – Forrest Precinct Parks 2926-RD-01; 002 – Proposed Relocation of Cricket Pitch 2542-CP-01R		
Tabled Items:	-		
Reporting Officers:	J van den Bok; Manager Parks & Property Services; R Lotznicker; Director Technical Services; M Hunt, Acting Senior Community Development Officer		
Responsible Officer:	R Lotznicker; Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the planting of a low perimeter ‘native’ hedge with a 600mm high pool type fence around Jack Marks Reserve, with openings located at strategic locations as specified by the Director Technical Services; and
2. **NOTES** that the other comments/suggestions made at the Public Forum held on 11 February 2012 at the Forrest Park Croquet Club will be further investigated/implemented where feasible, and/or reported to the Council where necessary.

Cr Carey departed the Chamber at 6.59pm.

COUNCIL DECISION ITEM 9.2.3

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Cr Carey returned to the Chamber at 7.00pm.

Debate ensued.

Cr Carey departed the Chamber at 7.06pm.

Debate ensued.

Cr Carey and Cr Harley returned to the Chamber at 7.07pm.

Debate ensued.

MOTION PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Carey, Cr Harley, Cr McGrath, Cr Maier, Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Buckels

PURPOSE OF REPORT:

The purpose of the report is to advise the Council of the current uses and any proposed changes of use to Forrest Park, Jack Marks Reserve, Brigatti Gardens and Loton Park.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 November 2012, a report was presented in relation to the proposed installation of fencing around the perimeter of Jack Marks Reserve where it was decided that:

"That the Council;

1. *CONSIDERS the submissions received concerning the proposal to erect a fence around Jack Marks Reserve as detailed in this report;*
2. *DEFERS the installation of a perimeter fence around Jack Marks Reserve;*
3. *Subject to clause 2 above being approved APPROVES BY AN ABSOLUTE MAJORITY to:*
 - 3.1 *REQUEST the preparation a comprehensive plan for the uses of:*
 - (a) *Jack Marks Reserve;*
 - (b) *Forrest Park;*
 - (c) *Brigatti Gardens; and*
 - (d) *Loton Park; and*
 - 3.2 *ENSURE that the plan referred to in clause 3 addresses:*
 - (a) *Structured and unstructured recreational uses;*
 - (b) *Provision of adequate dog 'off-leash' exercise areas;*
 - (c) *Provision of 'dog free' zones;*
 - (d) *The equitable allocation of space;*
 - (e) *Flexibility to use spaces for multiple uses; and*
 - (f) *Any other relevant matters; and*
4. *REQUESTS a further report be submitted to the Council at its second Ordinary Meeting of Council to be held in February 2012."*

Loton Park – Dog Park

In addition at its Ordinary Meeting held on 14 February 2012, the Council approved of an item on the Dogs Amendment Local Law 2012 to create an "off-leash" dog exercise area in Loton Park for use when the reserve is not being used for official events, sports training or other activities approved by the City.

DETAILS:

Plan for the uses of Jack Marks Reserve, Forrest Park, Brigatti Gardens and Loton Park:

In accordance with the Council decision of 22 November 2011 the following tables have been developed to identify the current uses and allocation of space for the parks outlined above.

The attached plan No. 2926-RD-01 indicates (including Birdwood Square & Banks Reserve) the proximity of parks to Forrest Park and in general relation to each other.

Forrest Park

Structured recreational uses	<ul style="list-style-type: none"> • Regular seasonal sporting events–Soccer (winter) Cricket (summer). • Casual function bookings. • Playgroup activities.
Unstructured recreational uses	<ul style="list-style-type: none"> • Dog exercise/general recreational activities. • Exercise equipment and walking/running track. • Recreational playground use.
Dog “off-leash” exercise areas	<ul style="list-style-type: none"> • Yes - Off leash unless being used for an approved activity such as match play/training. • Designated dog exercise area (6000m2) along the Harold Street frontage. • Dogs not permitted within fenced playground area.
“Dog Free” zones	<ul style="list-style-type: none"> • No, not recommended at this reserve.
Equitable allocation of space	<ul style="list-style-type: none"> • Every attempt has been made at Forrest Park to support both structured & unstructured recreational use. • The reserve was constructed originally as a sportsground and therefore more suited to structured sporting activities. • Emphasis of late has been to suit dog users with the provision of a designated dog exercise area with lights. • Will further investigate the feasibility of moving the southern cricket field further to the north.
Flexibility to use spaces/Multiple-uses	<ul style="list-style-type: none"> • Very good. The reserve is large enough for all users to co-exist as is the case in other parks located within the City of Vincent. • Further promotion to educate both the public and sporting clubs on cohabitation needs to be implemented.
Facilities	<ul style="list-style-type: none"> • Perimeter path, public toilets, seating, exercise equipment, playground, change rooms, dog & training lights, dog drinking bowl & designated dog exercise area.

Officers Comments

It is considered that the current allocation of space and times is adequate and should be maintained. The feasibility of moving the southern cricket field further to the north to provide a free dog exercise area will be undertaken. Further promotion to educate both the public and sporting clubs on cohabitation needs to be implemented. The PSC to meet with users on a regular basis to discuss any issues arising.

Jack Marks Reserve

Structured recreational uses	<ul style="list-style-type: none"> • Casual function bookings.
Unstructured recreational uses	<ul style="list-style-type: none"> • Dog exercise / General recreational activities. • Recreational playground use.
Dog “ off-leash” exercise areas	<ul style="list-style-type: none"> • Yes, at all times. Dogs not permitted within fenced playground area.
“Dog Free” zones	<ul style="list-style-type: none"> • No, not recommended at this reserve.
Equitable allocation of space	<ul style="list-style-type: none"> • This reserve is supportive of dog users and other unstructured recreational users. No sporting clubs are affiliated with this reserve.
Flexibility to use spaces / Multiple-uses	<ul style="list-style-type: none"> • Minimal opportunity due to small size of reserve, however good facilities are provided.
Facilities	<ul style="list-style-type: none"> • Playground, seating, dog lights, dog drinking bowl.

Officers Comments

Whilst fencing this reserve was initially considered, this has now been reviewed following the public consultation period and further assessment of the site. It is now recommended that in lieu of a fence that a low hedge be planted around the park. The hedging material could.

Brigatti Gardens

Structured recreational uses	<ul style="list-style-type: none"> Casual function bookings (Weddings).
Unstructured recreational uses	<ul style="list-style-type: none"> General recreational activities. Recreational playground use.
Dog " off-leash" exercise areas	<ul style="list-style-type: none"> No, on leash only due to park having well maintained garden areas.
"Dog Free" zones	<ul style="list-style-type: none"> Not currently, however officers consider that Brigatti Gardens be an area to create as a "dog 'free' zone within the City of Vincent.
Equitable allocation of space	<ul style="list-style-type: none"> This reserve is generally supportive of passive recreational users and for other unstructured recreational activities. No sporting clubs are affiliated with this reserve.
Flexibility to use spaces / Multiple-uses	<ul style="list-style-type: none"> Minimal opportunity due to small size of reserve, however good facilities are provided.
Facilities	<ul style="list-style-type: none"> Playground, security/park lighting, seating, partially accessible for wheelchairs.

Officers Comments

The City of Vincent Dog Local Law 2007 be amended to specify Brigatti Gardens as a park where dogs are prohibited absolutely. Signage will be installed accordingly and the local community advised of this change through the various proposed promotional strategies being implemented.

Loton Park

Structured recreational uses	<ul style="list-style-type: none"> Casual function bookings/parking associated with use of nib Stadium.
Unstructured recreational uses	<ul style="list-style-type: none"> General recreational activities.
Dog " off-leash" exercise areas	<ul style="list-style-type: none"> Yes. This matter was recently considered by the Council and the park is now being gazetted as a Dog exercise area.
"Dog Free" zones	<ul style="list-style-type: none"> No.
Equitable allocation of space	<ul style="list-style-type: none"> This reserve is generally supportive of passive recreational users and for other unstructured recreational activities and with the change outlined above will soon be also supportive of dog users.
Flexibility to use spaces/Multiple-use	<ul style="list-style-type: none"> Adequate, given its location and use as an overflow parking area.
Facilities	<ul style="list-style-type: none"> Pathways, public toilets, seating and dog lights.

Officers Comments

At its Ordinary Meeting held on 14 February 2012, the Council approved the Dogs Amendment Local Law 2012 to create an "off-leash" dog exercise area in Loton Park for use when the reserve is not being used for official events, sports training or other activities approved by the City.

A Public forum 11 February 2012 at Forrest Park Pavilion:

The above forum, facilitated by the Mayor, attracted 80 residents, sporting clubs and other users of parks within the Forrest precinct. The purpose of the forum was to hear stakeholder views/thoughts/opinions/ideas on the current and future use of Forrest Park, Jack Marks Reserve, Brigatti Gardens and Loton Park.

A summary of the views expressed at the forum are outlined below:

- Needs to be a balance – not flavour of the month – spent.
- Active sport at Forrest Park, five (5) nights per week?
- Majority of kids playing sport do not live in the area.
- Kids from the Vincent play in other areas e.g. Stirling.
- In summers – Cricket every weekend. Have said they are all allowed to use club.
- Needs to be incentives to grow Girls Soccer Club.
- Principle of Live & Let Live.
- Can training times be brought forward in the evening? To be discussed with the clubs.
- Layout of cricket pitches needs to be looked at
- PSC needs to make sure juniors do not encroach into dog areas
- Install additional parking bays along Walcott Street
- Dogs off leash need to be better controlled by their owners
- Robertson Park: small fencing in shrubs.
- Majority do not want a fence around Jack Marks Reserve
- Need to look at ways to reduce conflict between users.
- Like the wide open expanse of the reserve, no permanent delineation required at Forrest Park
- PSC to trial 'cone' to delineate active sports area/dog exercise area.
- Jack Marks Reserve – possible low hedging (similar to Robertson Park)
- Dog bowls – artistic
- More Park Benches/Rubbish Bins
- Toy Library – in area of the club room?
- Highgate Clinic - 10 Mums & 10 Babies one Room Government Funded (Locally run)
- Mayor to talk to State Government.
- Park Benches to low.
- Majority vote say no to BBQ's in Forrest park
- Jack Marks too small for a dog park
- High density area, need POS
- Not asking too much to get access to POS.
- Health & well being – POS
- Working Group should be established with Perth Soccer Club
- Make Streetscapes more attractive.
- Clarence Street – Parking Issues
- Make Loton Park dog area
- TAFE area for parking
- People less tolerant!
- Toilet open until later say 7.30pm

Officers Comments:

The above comments (not previously addressed) will be further investigated/implemented where possible/feasible. In summary these include:

1. *investigate the feasibility of moving the existing southern most cricket pitch further into Forrest Park to the north outside of the dog exercise zone as indicated on attached plan No. 2542-CP-01R;*
2. *arrange for the locking of the existing Forrest Park public toilets at a later time say 7.30pm;*
3. *investigate the installation of additional benches and litter bins in Forrest Park;*
4. *arrange regular working group meetings between Perth Soccer Club (PSC) representatives and representatives from the local community regarding the use of the reserve; and*
5. *prepare a promotional strategy which incorporates the 'plan for uses' as outlined in the report, to better inform the community, sports groups and others of the needs for a shared use of the City's Parks.*

CONSULTATION/ADVERTISING:

Where approved changes to the Local Law relating to dogs and any promotional strategies that are developed to educate and support the community in relation to the use of parks reserves will be advertised accordingly.

All attendees at the Forrest Park Forum will be advised of the Council's decision.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: Little or no impact if these proposals do not proceed as outlined above.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

Objective 1.1: Improve and maintain the natural and built environment and infrastructure.

1.1.5: Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$15,000 has been allocated in the City's 2011/2012 Capital Works budget for the installation of perimeter fencing around Jack Marks Reserve.

COMMENTS:

The officers have endeavoured to address the requirements of the previous Council decision as best as possible. At the public forum a number of issues were raised.

It is considered that the Council approve the planting of a low perimeter 'native' hedge and 600mm high "pool type" fence around Jack Marks Reserve.

It is recommended that the Officer Recommendation be approved.

9.1.9 Amendment No. 92 to Planning and Building Policies – Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage and No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI)

Ward:	Both	Date:	15 February 2012
Precinct:	All	File Ref:	PLA0238
Attachments:	001 – Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage 002 – Draft Amendment Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) 003 – Heritage Plaques and Interpretation Program Places of Interest Nomination Form 004 – Heritage Plaques Program and Interpretation Places of Interest Cost Contribution Form		
Tabled Items:	Nil		
Reporting Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		

OFFICER RECOMMENDATION:

That the Council;

1. **AUTHORISES** the Chief Executive Officer to advertise the Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage and the Draft Amended Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Appendices 9.1.9(a) and 9.1.9(b) for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 (TPS No. 1), including:
 - 1.1 advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;
 - 1.2 where practicable, notifying those persons who, in the opinion of the City, might be directly affected by the subject Policies; and
 - 1.3 forwarding copies of the subject Policies to the Western Australian Planning Commission (WAPC);
2. After the expiry period for submissions:
 - 2.1 **REVIEWS** the Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage and the Draft Amendment Policy No. 3.6.5 relating to Heritage Management - Amendments to the Municipal Heritage Inventory (MHI), having regard to any submissions; and
 - 2.2 **DETERMINES** the Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage and the Draft Amended Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), with or without amendments, to or not to proceed with the amended Policies;
3. **ACKNOWLEDGES** that the Heritage Plaques and Interpretation Program Interpretation Nomination Form and Heritage Plaques and Interpretation Program Cost Contribution Form, are to be read in conjunction with the Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage, and can be amended by the Chief Executive Officer from time to time; and
4. **NOTES** that a case study for the Heritage Plaques and Interpretation Program will be undertaken at the former Premier Theatre site on the corner of Bulwer Street and Stirling Street, Perth.

Cr Wilcox departed the Chamber at 7.14pm.

COUNCIL DECISION ITEM 9.1.9

Moved Cr Harley, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

Cr Wilcox returned to the Chamber at 7.15pm.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Buckels

That clause 1 be amended to read as follows:

“That the Council;

1. **AUTHORISES** the Chief Executive Officer to advertise the Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage and the Draft Amended Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), as shown in Appendices 9.1.9(a) and 9.1.9(b) for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 (TPS No. 1), including:
 - 1.1 advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;
 - 1.2 where practicable, notifying those persons who, in the opinion of the City, might be directly affected by the subject Policies; and
 - 1.3 forwarding copies of the subject Policies to the Western Australian Planning Commission (WAPC); and
 - 1.4 subject to Draft Amendment Policy No. 3.6.2 relating to Heritage Management – Interpretive Signage being amended as follows:
 - 1.4.1 All reference to PART TWO of the Policy to be referenced in capital letters;
 - 1.4.2 PART TWO (4) (i) (b) of the Policy to read as follows:
 - b) the plaque is to contain approximately 300 100 words and should incorporate a photographic image or drawing of the former building;
 - 1.5 subject to Draft Amendment Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) being amended as follows:
 - 1.5.1 Clause (5) the Policy to read as follows:
 - 4-5) The City may consider a place for removal from the Municipal Heritage Inventory as a result of enquiry through the Demolition Planning Application process, in which case the following procedure is to apply: and

1.6 subject to the Heritage Plaques and Interpretation Program Contribution Form being amended as follows:

1.6.2 Clause 8 of the Form to read as follows:

- 8. A refund will not be given once payment has been received. A refund will only be given if requested in writing to the City.**

Debate ensued.

The Presiding Member, Mayor Hon. Alannah MacTiernan ruled that she would consider and vote on the amendment in two parts. Part 1 being clauses 1.4 and 1.5 and Part 2 being clause 1.6.

AMENDMENT NO 1 PART 1 PUT AND CARRIED UNANIMOUSLY (9-0)

The Mover, Cr Maier advised that he wished to change his amendment and reword it as follows (as shown in double underline):

“1.6 subject to the Heritage Plaques and Interpretation Program Contribution Form being amended as follows:

1.6.2 Clause 8 of the Form to read as follows:

- 8. A refund will not be given once payment has been received. A refund will only be given if requested in writing to the City and an order for a plaque has not been raised by the City.**

The Seconder, Cr Buckels agreed.

AMENDMENT NO 1 PART 2 PUT AND CARRIED UNANIMOUSLY (9-0)

AMENDMENT NO 2

Moved Cr McGrath, Seconded Cr Buckels

That a new subclause 1.7 be inserted as follows:

“1.7 subject to Draft Amendment Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) being amended as follows:

1.7.1 A New Clause 1 (v) be included to read as follows:

- v) There is a general preclusion against the complete demolition of any place on the City’s Municipal Heritage Inventory. The Council will only consider such a proposal in circumstances where it can be demonstrated that the place cannot be practicably retained, even in part, to achieve the City’s desired outcome for the site.**

1.7.2 Clause 5 (iv) be amended to read as follows:

- iv) If the heritage value of the property is solely historic and/or social significance and the owner/applicant can demonstrate that it cannot practicably be retained in entirety or in part to because of:**
- (a) the location of building on the site; or**

(b) the limited Vehicular Access to the site and non-compliance with Australian Standards; or

(c) the inability to reasonable comply with National Construction Codes Series e.g. ramps, lifts, width of corridors, height of ceilings, stairwells etc; or

(d) the inability of the existing building structure and/or materials to be incorporated into the new development; or

(e) the inability of the existing building to support additional height and bulk in relation to the intention of the locality as prescribed in the relevant planning policy;

the City of Vincent's Officers can prepare a recommendation to support the demolition of the heritage listed property and apply conditions in accordance with the City's Policy No. 3.6.4 relating to Interpretive Signage for Council consideration, to ensure that the heritage value associated with the property proposed to be demolished is recognized through a plaque or similar interpretive signage or art work."

Debate ensued.

Cr Buckels departed the Chamber at 7.20pm.

Debate ensued.

Cr Harley departed the Chamber at 7.22pm.

Debate ensued.

Cr Buckels returned to the Chamber in 7.23pm.

Debate ensued.

Cr Harley returned to the Chamber at 7.30pm.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Carey, Seconded Cr Maier

That the item be DEFERRED for presentation to the next Council Forum.

Debate ensued.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-2)

For: Mayor Hon. MacTiernan, Cr Carey, Cr Harley, Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

Against: Cr Buckels, Cr Pintabona

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Amended Policy No. 3.6.4, relating to Heritage Management – Interpretative Signage and the Draft Amendment Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI) for consideration by the Council, and to seek the Council's approval to advertise the Draft Amended Policies.

BACKGROUND:

Policy No. 3.6.4 relating to Heritage Management – Interpretative Signage

The City's Policy No. 3.6.4, relating to Heritage Management – Interpretative Signage, was first adopted by the Council at its Ordinary Meeting held on 21 December 2005, and a further amended version was adopted by the Council at its Ordinary Meeting held on 22 July 2008.

Current Intent of Policy

The intent of the current Policy is largely to provide a procedure to recognise buildings that are approved to be demolished within the City, which are considered to hold historic and/or social cultural heritage values not reflected directly in the building's structure, style or physical appearance. By way of example, this Policy was applied in the approval for the demolition and re-development of the heritage listed property at No. 590 Newcastle Street, West Perth, by Council at its Ordinary Meeting on 20 December 2011. It was considered in this instance that the heritage value associated with this listed property, which was classified as a Management Category B – Conservation Recommended, held mostly historic cultural heritage value, which was not directly reflected in the building's structure, style or physical appearance.

Current Practice

Whilst the process above generally works well under the current Policy, it has however been found, that in instances whereby the property is heritage listed, it is not clear as to the status of the Heritage Listing, following approval for demolition by the Council. Given this, the Policy has been amended to provide greater clarity with respect to this, and to cross-reference to the City's Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI).

Heritage Plaques and Interpretation Program

In recent times, the City has been approached by community members to have dedicated plaques installed for places of interest in the City, which in many instances are no longer extant. In addition to this, the proposed Heritage Plaque and Interpretation Program was also partly conceived through the City's involvement with the Northbridge History Project, which was an initiative of the Department of Premier and Cabinet. On the completion of this Project, the City's steering group continued to meet as a group and commenced investigation on the identification of places of interest of which plaques and/or alternative forms of interpretation could be installed. The idea of a Heritage Plaques and Interpretation Program has also been discussed and endorsed by the City's Local History and Heritage Advisory Group.

Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI)

The City's Policy No. 3.6.5, relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), was first adopted by the Council at its Ordinary Meeting held on 21 December 2005, and a further amended version was adopted by the Council at its Ordinary Meeting held on 22 July 2008.

Current Intent of Policy

The intent of the current Policy is to provide a procedure for adding, deleting or amending properties listed on the City's Municipal Heritage Inventory (MHI). This Policy was put in place, as part of the extensive review of the City's Municipal Heritage Inventory undertaken in 2005 – 2006, to provide a framework to add, remove or amend places on the City's Municipal Heritage Inventory, on an on-going basis.

Current Practice

Whilst the procedure outlined in the Policy No. 3.6.5 generally works well, it has become apparent through its implementation, that the Policy requires clearer guidance in the procedure for places to be removed from the Municipal Heritage Inventory in instances of demolition of a heritage listed property, as part of a Development Application.

DETAILS:

Within the context of the information within the 'Background' section above, together with research undertaken of other heritage plaques and interpretation programs in place in Councils both nationally and internationally, the following amendments have been proposed for the City's Policy No. 3.6.4, relating to Heritage Management – Interpretive Signage and the City's Policy No. 3.6.5 relating to Amendments to the Municipal Heritage Inventory (MHI).

Amendments to Policy No.3.6.4 relating to Heritage Management – Interpretive Signage

The Policy has been divided into two parts, the first part, largely being the current Policy, and the second part relating to the Heritage Plaque and Interpretation Program, for Places of Interest in the City. The proposed Part Two of the Policy is to be read in conjunction with the Heritage Plaques and Interpretation Program – Places of Interest Nomination Form, and the Heritage Plaques and Interpretation Program – Places of Interest – Cost Contribution Form, as shown in Appendices 9.1.9(c) and 9.1.9(d) for information.

Details of all proposed amendments are outlined in Appendix 9.1.9(a) and have been depicted via strikethrough and underline, however a summary is provided below.

Key Amendments to the Policy

- The new Part Two of the Policy is predominately procedural in nature and sets out the eligibility, nomination process, funding, manufacturing, installation and maintenance and other provisions relating to the Heritage Plaques and Interpretation Program.
- Additional sub clauses have been included in existing Clauses 2 and 3 of the Policy, to require an image of the Heritage Plaque and or alternative form of Interpretation to be forwarded to the City upon installation, so as to be readily accessible to the public through the City's dedicated heritage website and/or Local History Centre.

Key Aspects of the Heritage Plaques and Interpretation Program for Places of Interest

- The Program is based on a cost-contribution arrangement, whereby the general public can nominate Places of Interest to be considered for a dedicated Plaque and/or alternative form of Interpretation. The Place of Interest can either be demolished or extant and does not have to be heritage listed. The applicant submitting the nomination is required to provide documentation in support of the nomination, being a Place of Interest to the City.
- The City's Local History and Heritage Advisory Group will be involved in the review of the nominations received, and the City's Director Community Development determines the suitability of the nomination.
- If installed outside of the private lot boundary, the City reserves the ownership rights and the responsibility to maintain the heritage plaque/installation.

- Images of the Plaques and/or alternative form of Interpretation and details on the Places of Interest will be made available on the City's dedicated Heritage Website www.vincentheritage.com.au and also at the City's Local History Centre.
- If a place listed on the City's Municipal Heritage Inventory is removed from the Inventory, the place becomes a Place of Interest, through the procedures set out in the City's Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory.

Amendments to Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory

Key Amendments to the Policy

- A new Clause 5 of the Policy has been created to outline the steps involved in the scenario when the City can consider a place for removal from the Municipal Heritage Inventory, as a result of enquiry through demolition as part of the Development Application process.
- The existing Clause 3 of the Policy has been amended to specify the scope of the advertising period to include consultation with the Heritage Council of Western Australia, City of Vincent Precinct Groups and the City's Local History and Heritage Advisory Group.
- The existing Clause 3 of the Policy, and the existing Clause 4 of the Policy have been amended to require a minimum of a 14 day advertising period for consideration to add or remove a place from the City's Municipal Heritage Inventory, to align with the minimum advertising required as part of a Development Application.

CONSULTATION/ADVERTISING:

The Draft Amended Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage and the Draft Amended Policy No. 3.6.5 relating to Heritage Management – Amendments to the Municipal Heritage Inventory (MHI), will be advertised for a period of twenty-eight (28) days, in accordance with Clause 47 of TPS No. 1.

Following the endorsement of the Policies, the Heritage Plaques and Interpretation Program will be widely advertised. To assist in the publicity, a case study will be undertaken for the former Premier Theatre site on the corner of Stirling and Bulwer Streets. This site is now occupied by offices, and the current owner has nominated for a plaque to be installed on the footpath adjacent to the site, to recognise the history associated with the use of the property.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 1.1 states:

“Improve and Maintain the Environment and Infrastructure:

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

1.1.2 *Enhance and maintain the character and heritage of the City”.*

In keeping with the City's *Heritage Strategic Plan 2007-2012*, Key Result Area One – Community and Heritage states:

“Educating, Promoting and Celebrating Vincent's Heritage”.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for advertising of the Policies will be incurred under the following budgeted item:

Town Planning Scheme Amendments and Policies

Budget Amount:	\$40,000
Spent to Date:	\$34,304
Balance:	\$5,696

Expenditure to implement the Heritage Plaques Program will be incurred under the following budgeted item:

Heritage Plaques

Budget Amount:	\$10,000
Spent to Date:	\$395
Balance:	\$9,605

COMMENTS:

It is considered that the proposed amendments to Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage and Policy No. 3.6.5 relating to Amendments to the Municipal Heritage Inventory (MHI), will result in comprehensive policies that are cross-referenced to each other and will provide clarity to the public and the Council with respect to circumstances where applications are received for the demolition of heritage listed properties. In addition, the amended Policy No. 3.6.4 relating to Heritage Management – Interpretive Signage provides the procedural framework for the City to administer the City's Heritage Plaques and Interpretation Program – Places of Interest, which will provide greater opportunity to promote the City's heritage through various mediums.

In light of the above justification, it is recommended that the Council progresses the Draft Amended Policies in accordance with the Officer Recommendation and proceed with the implementation of the proposed Heritage Plaques and Interpretation Program – Places of Interest.

9.1.11 Car Parking Strategy Implementation Plan 2010-2018 – Progress Report No. 2

Ward:	Both Wards	Date:	22 February 2012
Precinct:	All Precincts	File Ref:	PLA0084
Attachments:	001 – Claisebrook Precinct 002 – Perth Precinct 003 – The Perth Parking Management Area		
Tabled Items:	Nil		
Reporting Officers:	J Maclean, Manager Ranger and Community Safety Services; C Wilson, Manager Asset Design Services; D Mrdja, Senior Strategic Planning and Heritage Officer		
Responsible Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Progress Report No. 2 as at 20 February 2012 relating to the Car Parking Strategy Implementation Plan 2010-2018 and notes that this matter was presented to the Council Member Forum held on 21 February 2012;
2. **DEFERS** the implementation of additional ticket machines in the 'Perth Precinct' and the 'Claisebrook Precinct' until after the Community Visioning Workshop for the 'Claisebrook Precinct' is held on 14 April 2012;
3. **REQUESTS** the Chief Executive Officer to:
 - 3.1 commence a review of all the 'Resident Only' parking areas within the City;
 - 3.2 investigate the locations in which vehicles with Commercial Parking Permits can park and how many permits can be issued in each location;
 - 3.3 investigate the ways the revenue from the car parking ticket machines and cash-in-lieu for car parking can be re-invested into the precinct in which it is generated from; and
 - 3.4 further investigate the matter of time restrictions in various streets in the Mt Lawley and Highgate area as outlined at the Council Member Forum held on 21 February 2012; and
4. **ADOPTS** the amended Car Parking Strategy Indicative Timeline as detailed in this report.

Cr Carey departed the Chamber at 7.37pm.

COUNCIL DECISION ITEM 9.1.11

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

Cr Carey returned to the Chamber at 7.38pm.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Buckels

That:

1. Clause 2 be deleted and the following clauses renumbered;
2. Clause 3.3 be amended to read as follows:

“3.3 Investigate the ways revenue from car parking ticket machines and ~~cash-in-lieu for car parking~~ the sale of commercial parking permits can be re-invested into the precinct in which it is generated from;”
3. A new clause 3.5 be added as follows:

“3.5 Prepares an Implementation Plan for the introduction of paid parking in the ‘Perth Precinct’ and ‘Claisebrook Precinct’ to be presented to the Council Member Forum in March;”

Debate ensued.

The Presiding Member, Mayor Hon Alannah MacTiernan requested that the words “shaded blue on the Attachment” be inserted after the words “Perth Precinct” in Clause 3. The Mover, Cr Maier and Seconder, Buckels agreed.

Debate ensued.

The Chief Executive Officer drew Mayor Hon. Alannah MacTiernan’s attention to the amendment which now includes Parry Street, Perth, where she leases an Office at No. 104 and whether she now has a proximity interest in the matter.

The Presiding Member, Mayor Hon. Alannah MacTiernan declared a proximity interest in the Item 9.1.11. Mayor Hon. Alannah MacTiernan requested approval to participate in debate and vote on matters other than Parry Street.

The Presiding Member, Mayor Hon. Alannah MacTiernan departed the Chamber at 7.50pm whilst her declaration of interest was being considered and Deputy Mayor, Cr Warren McGrath assumed the Chair at 7.50pm.

Discussion ensued regarding the extent of the Presiding Member, Mayor Hon. Alannah MacTiernan’s interest.

Cr Carey departed the Chamber at 7.52pm.

Discussion ensued regarding the extent of the Presiding Member, Mayor Hon. Alannah MacTiernan’s interest.

Cr Carey returned to the Chamber at 7.55pm.

Discussion ensued regarding the extent of the Presiding Member, Mayor Hon. Alannah MacTiernan’s interest.

The Acting Presiding Member, Deputy Mayor Cr Warren McGrath requested a motion concerning the Mayor’s request.

PROCEDURAL MOTION

Moved Cr Maier, Seconded Cr Pintabona

That Mayor Hon. Alannah MacTiernan's request to participate in debate and vote on Item 9.1.11 other than Parry Street, Perth, be approved.

CARRIED UNANIMOUSLY (8-0)

(Mayor MacTiernan was absent from the Chamber and did not vote on this matter.)

The Mayor Hon. Alannah MacTiernan returned to the Chamber at 7.59pm and Acting Presiding Member, Deputy Mayor Cr Warren McGrath remained in the Chair.

The Acting Presiding Member, Deputy Mayor Cr Warren McGrath advised the Mayor that her request was carried unanimously.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Harley, Seconded Cr Buckels

That the item be DEFERRED for a presentation to the next Council Forum.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (5-4)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr Pintabona

Against: Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

The Presiding Member, Mayor Hon. Alannah MacTiernan assumed the Chair at 8.09pm.

ADDITIONAL INFORMATION:

The Council at its Ordinary Meeting held on 11 May 2011 resolved to advertise areas of paid parking within the Leederville, Mount Lawley/Highgate, North Perth and Perth Precincts, based on the areas identified in the Car Parking Strategy and the associated Precinct Parking Management Plans.

The Council at its Special Meeting held on 5 July 2011 resolved to advertise areas of additional ticket machines in East Perth. More specifically, the area bounded by Lord Street, Summers Street and the Graham Farmer Freeway, termed the '*Claisebrook Precinct*' and the area bounded by Newcastle, Edward, Lord and Stirling Street, which formed part of the '*Perth Precinct*' as defined at the Ordinary Meeting of Council held on 11 May 2011.

The maps as shown in Appendix 9.1.11(A) and Appendix 9.1.11(B) show the boundary of the '*Claisebrook Precinct*' and the boundary of the portion of the '*Perth Precinct*', where the Council resolved to investigate additional areas of paid parking.

All of the '*Claisebrook Precinct*' is included in the Perth Parking Management Area. In addition, the portion of the '*Perth Precinct*' bounded by Parry, Lord, Newcastle and Stirling Street is also within the Perth Parking Management Area. The total area of the Perth Parking Management Area that is within the City of Vincent is shown in the map at Appendix 9.1.11(C).

In total, the City has a total of 395 licenced bays within the Perth Parking Management Area. The Perth Parking Licence fee for the 2011/2012 financial year was \$230,798, estimated at the City paying \$584.00 per on-street bay. The Perth Parking Management Area is governed by the *Perth Parking Management Act 1999* and the *Perth Parking Management Regulations 1999*.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the City's progress of the Car Parking Strategy Implementation Plan and associated Indicative Timeline.

BACKGROUND:

Previous Reports to Council:

This matter was previously reported to Council on 9 March 2010, 12 October 2010, 10 May 2011, 14 June 2010, 5 July 2010, 11 October 2011 and 8 November 2011.

Previous Presentations to a Forum:

- | | |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 23 November 2011 | The City's Officers sent out the project brief of the Way Finding Signage Strategy and a request for a quotation to 12 parking and traffic consultants in Australia. |
| 1 February 2012 | A community forum was held at the Forrest Park Croquet Club regarding the proposed additional on-street car parking in the Mount Lawley/Highgate area. |
| 8 February 2012 | The Chief Executive Officer resolved to appoint Parking and Traffic Consultants to prepare the Way Finding Signage Strategy. |
| 20 February 2012 | A community forum was held at the City of Vincent Administration Centre regarding the possibility of adding time restricted car parking in the Cleaver Precinct area. |
| 21 February 2012 | The City's Officers presented information regarding the progress of the implementation of the Car Parking Strategy at a Council Member Forum. |

DETAILS:

The purpose of the Progress Report No. 2 is for the Council to note the progress of the implementation of the Car Parking Strategy as well as for the Council to make decisions on certain items.

Time Restrictions Consultation

The Council at its Ordinary Meeting held on 5 July 2011, resolved to defer the consideration of new areas of time restrictions in various residential streets extending from the City's Town Centres of Leederville, Mount Lawley and North Perth. The rationale for the deferral was to monitor the impact of the introduction of additional areas of paid parking within the aforementioned City Centres, to determine whether these streets needed to be time restricted to manage the 'spill over' of parkers into the residential streets.

All new machines were installed by August 2011. After some initial adjustment to the introduction of the new ticket machines, the management of the machines is now functioning well.

Presentation to Council Member Forum held on 21 February 2012

This Item was presented to the Council Member Forum held on 21 February 2012. At the Forum a number of Council Members expressed the following views:

1. further investigation should be carried out relating to the possible introduction of time restrictions in the following streets:
 - Cavendish Street;
 - Raglan Road;
 - Grosvenor Road;
 - Chatsworth Road;
 - Chelmsford Road;

- Clarence Street;
 - Harold Street;
 - Lincoln Street;
 - St Albans Avenue;
 - Stirling Street; and
 - Vincent Street.
2. that further investigations should also include the ability to provide on street parking for workers in the locality to park their vehicles;
 3. it was also suggested that the existing time restrictions in Mary Street and other streets in the locality also be further investigated;
 4. further investigation of Parking Benefit Districts was also requested.

Introduction of Ticket Machines in the “Perth Precinct” and “Claisebrook Precinct”

At the Ordinary Meeting of Council held on 11 October 2011 the Council resolved in part as follows:

- “3. *REQUESTS further information on parking occupancy for the “Perth Precinct” and “Claisebrook Precinct”, as identified in this report, to be presented to the next Council Forum;*”

The City’s Administration has presented the requested information to the Council Member Forum held on 21 February 2012 – as this was the earliest available Forum due to other items deemed a higher priority.

The following information was presented to the Ordinary Meeting of Council held on 11 October 2012:

“On reviewing the comments received, and further surveying and analysis of the area and with due regard to the City’s Car Parking Strategy, the following is proposed:

Table 1 - East of Lord Street (Claisebrook Precinct)

Street	Occupancy Rate	Machines Required	Period of Operation
Caversham Street	> 85%	1	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday - 8.00am to 5.30pm – 2P Saturday - 8.00am to 12 noon - 2P
Chelsea Street	> 85%	1	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday - 8.00am to 5.30pm – 1P Saturday - 8.00am to 12 noon - 1P
Cheriton Street	> 85%	5	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday 8.00am to 5.30pm – 2P or 1/4P Saturday - 8.00am to 12 noon - 2P or 1/4P
Claisebrook Road	> 85%	8	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday - 8.00am to 5.30pm – 1P Saturday - 8.00am to 12 noon - 1P
Coolgardie Terrace	> 85%	2	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday 8.00am to 5.30pm – 2P Saturday - 8.00am to 12 noon - 2P

Street	Occupancy Rate	Machines Required	Period of Operation
<i>Edward Street (between Lord and Robertson Streets)</i>	> 85%	3	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday 8.00am to 5.30pm – 1P or 1/4P Saturday - 8.00am to 12 noon - 2P or 1/4P
<i>Gladstone Street</i>	> 85%	7	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday 8.00am to 5.30pm – 1P Saturday - 8.00am to 12 noon - 2P
<i>Lord Street (between Murchison Terrace and Edward Street)</i>	< 85%	Nil	N/A (existing time restrictions to be maintained)
<i>Murchison Terrace</i>	> 85%	2	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday 8.00am to 5.30pm – 2P or 1/4P Saturday - 8.00am to 12 noon - 2P or 1/4P
<i>Robertson Street</i>	> 85%	1	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday - 8.00am to 5.30pm – 1P Saturday - 8.00am to 12 noon - 1P
<i>Somerville Street</i>	> 85%	3	8.00am to 5.30pm – Monday to Friday 8.00am to 12 noon Saturday Monday to Friday 8.00am to 5.30pm – 1P Saturday - 8.00am to 12 noon - 1P
<i>Summers Street</i>	< 85%	Nil	N/A (existing time restrictions to be maintained)

TOTAL MACHINES REQUIRED = 33 NEW TICKET MACHINES

NOTE – Proposed operating hours of ticket machines align with the existing time restrictions which are proposed to remain the same.

It is recommended that the Council defers the implementation of additional ticket machines in the 'Perth Precinct' and the 'Claisebrook Precinct' until after the Community Visioning Workshop for the 'Claisebrook Precinct' is held on 14 April 2012.

Parking Benefit Districts

The Concept

The concept of 'Parking Benefit Districts' was first introduced by Donald Shoup in his book, *The High Cost of Free Parking*, published in 2005. Shoup proposed a system in which parking revenue is returned to the locations from which it is generated, through business improvement districts in commercial areas and parking benefit districts in residential areas. Shoup notes that in commercial areas, businesses may be more likely to support charging for on-street parking if they can be guaranteed a portion of the revenue. These revenues could fund streetscape improvements or security enhancements to make their commercial district more attractive.

In residential areas, Shoup proposed a system in which residents could still park for free with a permit, but non-residents would have to pay for a permit to park on these residential streets. The revenue generated from the sale of permits could fund sidewalk repairs or other improvements to residential areas.

Examples

The City of Austin Council in Texas first introduced the notion of Parking Benefit Districts to the community in October 2005. After a series of consultation programs, a Parking Benefit District was established in January 2006 and is known as "West Campus". The need for such a district was generated by the residents concern regarding 'spillover' parking from nearby commercial and educational establishments. The revenue from the parking meters in this district are used for streetscape improvements, such as improved sidewalks, crosswalks, transit shelters, bike lanes, curb ramps and street trees, which help to improve the pedestrian environment. Residents receive permits for themselves and their guests that exempt them from having to pay for parking in the District.

The City of Hayward in California developed a Parking and Transportation Demand Management Strategy in January 2010. The Strategy provides a list of recommendations for the most cost effective parking and transportation strategies. Of the eight recommendations in this strategy, two are focused on Parking Benefit Districts, one for commercial areas and one for residential areas. The recommendation relating to residential Parking Benefit Districts illustrates a list of implementation steps that the Council should follow. These include:

1. Determine the areas which will be subject to a Parking Benefit District. These should be in residential areas that are adjacent to commercial areas;
2. Count the number of kerbside car parking bays that are available in the area;
3. Note the number of car bays on a map and count the number of residential dwellings adjacent to the street to determine the number of car bays compared to the number of dwellings;
4. Determine the number of parking permits to issue to residents or visitors based on a percentage of the total number of car bays; and
5. Determine the rates for residential and non-residential parking permits.

The City of Hayward has identified potential ways in which the revenue could be used. These include:

- Additional police or security patrols;
- Landscaping and streetscape beautification;
- Street cleaning, power washing of sidewalks and graffiti removal;
- Pedestrian scaled lighting;
- Transit; pedestrian, and bicycle infrastructure and amenities;
- Oversight and management of district infrastructure and amenities;
- Additional parking enforcement;
- Marketing and promotion of local businesses;
- Purchase and installation costs of meters; and
- Any additional programs and projects as recommended by the local community and approved by the Council.

Parking Benefit Districts in the City of Vincent

As outlined above, a Parking Benefit District is an area in which drivers are required to pay for parking and the revenue generated from the cost of the car parking is re-invested back into that district. It is noted that the City has introduced paid and time restricted parking in several precincts within the City; hence the first part of the idea of Parking Benefit Districts has already been adopted. The City's Officers therefore will begin to investigate how the money generated from the parking meters as well as the cash-in-lieu for car parking can be reinvested back into the precinct in which it is generated from.

Commercial Parking Permits

In 2011, the City of Vincent introduced 'Commercial Parking Permits', to enable businesses to purchase a parking permit for staff. At this stage, only one company has obtained a Commercial Parking Permit, although there have been a number of enquiries from other businesses.

As approved by the Council, Policy 3.9.8 was amended to allow for the issue of Commercial Parking Permits to businesses where there was insufficient parking space available on-site. Because of the administrative and enforcement processes required, it is impractical for permits to be of short duration, so such permits are valid for 12 months and are sold for an annual cost of \$1,500. The pre-paid monthly parking fee, payable in car parks, is currently set at \$145 per month and the daily fee for up to 10 hours of parking is set at \$14. The Commercial Parking Permit fee equates to around \$6.25 per day, which is a substantial saving.

The introduction of Commercial Parking Permits also contributes to the idea of the Parking Benefits District Concept, in that it provides areas for long term (all day) commercial parking in the residential areas surrounding the Town Centres. It is noted that further research and investigations is required to determine which residential streets are suitable and how many permits can be issued per street. The City will also consider a system in which each Commercial Parking Permit is issued with an area in which they are required to park. This will avoid some areas becoming over crowded with all day parking. Once the research is complete, it is envisaged that the City's Officers will report back to the Council in order to begin a consultation period with the land owners of these identified streets. The City's Officers will be reinforcing the fact that the monies generated from the sale of the Commercial Car Parking Permits will be reinvested back into the streets in which it came from. This research and investigations are proposed to be added into the amended Car Parking Strategy Timeline.

Car Parking Revenue

Clause 5 of the Officer Recommendation relates to the revenue raised through the car parking ticket machines and the cash-in-lieu for car parking paid for some development applications. This clause will require the City's Officers to complete 'Part 2' of the Parking Benefit Districts concept by investigating where and how the revenue can be spent.

The 2011/2012 Financial Year Statutory Budget identifies four cash reserve fund which are associated with car parking. These are:

- Cash-in-Lieu of Parking Reserve;
- Parking Facility Reserve;
- Parking Funded Sustainable Transport Initiatives Reserve; and
- Parking Funded City Centre and Parking Benefit Districts Upgrade and Promotion Reserve.

There is a considerable amount of money in these reserve funds and the City's Officers will be considering ways in which they money can be re-invested back into the community.

Way Finding Signage Strategy

The City's Officers prepared a project brief for the preparation of a Way Finding Signage Strategy. The brief along with a request for a quotation was sent to 12 parking and traffic consultants around Australia on 23 November 2011.

The City received four quotations for the preparation of the Way Finding Signage Strategy from the following:

- Opus International Consultants Limited – Perth;
- Parking and Traffic Consultants – Sydney;
- Aurecon Australia Pty Ltd – Perth; and
- JA Grant & Associates and Visual Voice – Melbourne.

The 2011/2012 financial year budget allocated \$70,000 towards the implementation of the Car Parking Strategy. Given this money had already been allocated, the Chief Executive Officer resolved to appoint the preferred consultant, being Parking and Traffic Consultants, to prepare the Way Finding Signage Strategy.

The City's Officers met with the consultants on 23 and 27 February 2012 to discuss the progress of the report. It is anticipated that the consultants will present their findings to a Council Member Forum in April 2012.

Review of Parking and Access Policy

The City's Strategic Planning Officers have commenced the review of the City's Policy No. 3.7.1 relating to Parking and Access. To date, the review has included a major assessment of the existing land use car parking table to ensure that the land use car parking table in the amended policy is consistent with the proposed zone table in the City's Draft Town Planning Scheme No. 2.

Furthermore, the City's Officers have compared the land use parking required to other neighbouring Council's, and in some instances proposed to reduce the commercial car parking required.

The draft policy is also proposed to be set out in a more chronological order and lengthy and 'wordy' clauses have been removed. The City's Officers are also exploring and researching the requirements for motorcycle and scooter parking, increased bicycle bays, maximum commercial and residential car parking requirements as well as ways the developer can encourage alternative forms of transport.

Multi-Deck Parking

The Car Parking Strategy recommended that the Council consider the construction of a multi-deck parking facility in the Mount Lawley area. However, it was recommended that this be further considered.

In the Precinct Parking Management Plans for the Mount Lawley/Highgate area, at Clause 7.2.3 - Long Term (2018+), the consultant recommended that the City "*Commission an initial design and feasibility study for a deck car park with the prime purpose of providing additional short stay public parking.*"

However, it has been suggested that, given the current level of complaints and congestion, the development of a multi-deck facility should be considered much sooner than 2018. As a result, a Brief is currently being developed, for the engagement of a consultant, to review the current parking issues and to consider whether the timing for a multi-deck car park should be brought forward.

'Resident Only' Car Parking Areas

At the Community Forum held on 1 February 2012, it was evident that the residents and business owners of the Mount Lawley/Highgate area have concerns regarding the 'Resident Only' Car Parking Areas. Currently the areas that have been approved with 'resident only' parking are:

- Mary Street, Highgate – south side;
- Dangan Street, Perth;
- Brookman Street, Perth;
- Robinson Avenue, between Moir Street and William Street, Perth;
- Carr Place, Leederville; and
- Fairfield Street, between Scarborough Beach Road and Anzac Road, Mount Hawthorn – west side.

It is noted that the Car Parking Strategy also dismisses this notion as a public road reserve should be available to all and not only to the residents. In light of this, the City's Officers will commence an internal review of these areas and report back to Council with a recommendation on whether or not these streets should remain as 'resident only' parking.

Additional Ticked Machine Consultation

Following the implementation of new areas of paid parking in August 2011, the City has a surplus of 30 ticket machines. The total amount of machines ordered as part of the tender was based on the recommendations of the Car Parking Strategy. Following the consultation of the proposed areas of paid parking, the Council resolved to not install machines in some of the areas that were outlined in the Car Parking Strategy, hence the surplus machines.

At the Special Meeting of Council held on 5 July 2011, the Council resolved to undertake advertising of additional areas of paid parking in the Claisebrook and Perth Precincts to determine whether this area warranted paid parking, and to ascertain the community's position on this. A summary of the comments received during the consultation was presented to Council at its Ordinary Meeting on 11 October 2011, where it was determined that prior to the installation of new ticket machines in this area, that the matter be presented to a Council Member Forum to provide an overview of the feedback received from the community and the results of the occupancy surveys undertaken by the City's Officers.

Furthermore, it is recommended that the Council defer the installation of ticket machines in this area, until after the community visioning workshop to be held on 14 April 2012.

Car Parking Strategy Indicative Timeline

The Council at its Ordinary Meeting held on 8 November 2011 noted the City's progress of the Car Parking Strategy Implementation Plan and was advised on what actions had been completed, what was on-going and what dates had changed due to expected circumstances.

In light of this, the Indicative Timeline that was adopted by the Council at its Ordinary Meeting held on 12 October 2010 is proposed to be amended as follows:

Indicative Timeline

High Priority July 2010 – June 2013

Action	Indicative Dates
<u>2010/2011 Financial Year</u>	
1. General Publicity and Promotion – COMPLETED	
• General Information in Local Newspaper	November 2010
• Information on City's Website	November 2010
• Telephone information 'on hold'	November 2010
• Information at the City's Library and Local History Centre, Administration and Civic Centre and Beatty Park Leisure Centre	November 2010
• Information in December Newsletter	December 2010
2. Installation of Ticket Machines – COMPLETED	
• Finalisation of Tender Documents	October 2010
• Commence Tender	October 2010
• Assess Tenders received	November 2010
• Report to Council on preferred tender	December 2010
• Consultation on proposed location of ticket machines	February/March 2011
• Installation of ticket machines	April/May 2011
3. Amendments to Parking Restrictions – COMPLETED	
• Report to Council to amend Local Law	December 2010
• Advertise proposed changes to Local Law (including targeted consultation)	February/March 2011
• Report to Council to ratify changes to Local Law	April 2011
• Amendment to Local Law in Government Gazette	April 2011
• Amendment to Local Law finalised	April 2011
• New signage installed	April/May 2011
4. Investigate and Recruit Additional Enforcement Staff, Resources & Purchase Improved Enforcement Technology – COMPLETED	
• Include request in 2011/2012 Draft Budget	March 2011
• Council endorse 2011/2012 Budget	May 2011
• Recruitment of enforcement staff advertised	July 2011
• Appointment of new enforcement staff	August/September 2011
• Purchase and implementation of new technology	October 2011
5. Replacement of Existing Ticket Machines with New Technology	
• On-going replacement program	On-Going

Action	Indicative Dates
<u>2011/2012 Financial Year</u>	
6. Review of City's Policy No. 3.7.1 relating to Parking and Access	
• Commence internal review of Policy	July 2011
• Report review to Council Member Forum	November 2011 February 2012
• Report to Council to advertise amended draft Policy	February 2012 April 2012
• Advertise amended draft Policy	February/March 2012 April/May 2012
• Report to Council to endorse amended draft Policy	April 2012 May 2012
• Final advertising of amended draft Policy	May 2012 June 2012
7. Preparation of Way Finding Strategy	
• Quotations called for consultant to prepare Strategy	November 2010 2011
• Assess quotations received	December 2010 2011
• Report to Council on preferred consultant	February 2011 2012
• Way Finding Strategy prepared Preparation of key findings including draft report and signage schedule	March/April 2011 2012
• Presentation to Council Member Forum	April 2012
• Way Finding Strategy advertised	April/May 2011 2012
• Submission of final report and signage schedule	May 2012
• Way Finding Strategy adopted by Council	June 2011 2012
7. Review of Parking Benefit District Concept	
• Commence internal review of concept	January 2012
• Report review to Council Member Forum	May 2012
• Report to Council to advertise concept	June 2012
• Advertise concept	July/August 2012
• Adopt concept	August 2012
8. Additional Time Restrictions in the Mount Lawley and Perth Precincts	
• <u>Report the proposed time restricted areas to Council and Council to give consent to advertise.</u>	February 2012
• <u>Advertise to Community</u>	March 2012
• <u>Report back to Council with summary of submissions received and authorisation to commence installation of signage for new areas of time restrictions</u>	April 2012
• <u>Commence installation of signage in new areas of time restrictions</u>	May/June 2012
9. Car Parking Revenue	
• <u>Commence internal investigation into how and where the revenue from the ticket machines and cash-in-lieu for car parking can be spent</u>	March 2012
• <u>Community workshop to gain some ideas on where the revenue can be spent</u>	April 2012
• <u>Report to Council with ideas and budget plans</u>	May 2012
10. 'Resident Only' Car Parking Areas	
• <u>Commence internal review of the 'Resident Only' Car Parking Areas</u>	April 2012
• <u>Report to Council on any possible amendments to the 'Resident Only' Car Parking Areas</u>	June 2012

Action	Indicative Dates
<u>2012/2013 Financial Year</u>	
11. Installation of Way Finding Signage	
• Commence tender/call for quotation for the development and installation of signage	<u>July 2012</u>
• Assess quotations received	<u>August 2012</u>
• Report to Council on preferred company	<u>September 2012</u>
• Installation of signage – Stage 1 (Leederville, Mount Lawley/Highgate, Perth)	<u>July/August 2014</u> <u>October/November 2012</u>
• Installation of signage – Stage 2 (Mount Hawthorn, North Perth)	<u>September/October 2014</u> <u>December 2012/</u> <u>January 2013</u>
12. Parking Benefit Districts – Commercial Parking Permits	
• Commence investigation to which streets Commercial Parking Permits can be issued and how many permits can be issued per street.	<u>July 2012</u>
• Report to Council with initial concepts	<u>September 2012</u>
• Advertise to landowners and surrounding business owners	<u>November 2012</u>
• Report to Council on information of submissions received and any proposed amendments	<u>December 2012</u>
• Amend the City's Policy relating to Car Parking Permits to address the concept	<u>January–March 2013</u>
• Promote the concept to business owners.	<u>February/March 2013</u>
13. Undertake Parking Surveys	
• Quotations called for consultants to undertake surveys	<u>February 2013</u> <u>August 2012</u>
• Report to Council with preferred consultant	<u>April 2013</u> <u>October 2012</u>
• Consultants undertake surveys	<u>May/June 2013</u> <u>November/December 2012</u>
• Consultants submit survey report	<u>July 2013</u> <u>January 2013</u>
• Survey report endorsed by Council	<u>August 2013</u> <u>February 2013</u>
• Survey results used to inform budget requirements for 2014/2015, including the allocation of resources for additional ticket machines if required and new areas of time restrictions.	<u>March 2014</u> <u>February 2013</u>

Medium Priority July 2013 – June 2017

Action	Indicative Dates
<u>2013/2014 Financial Year</u>	
14. Research Parking Arrangements for High Density Developments	
• Internal review of parking arrangements for high density developments, in particular on-street parking	<u>March 2013</u> <u>July 2013</u>
• Report to Council Member Forum on review	<u>May 2013</u> <u>September 2013</u>
• Report to Council on review	<u>July 2013</u> <u>November 2013</u>

Action	Indicative Dates
15. Management of Private Car Parking in Town Centres	
<ul style="list-style-type: none"> Internal review of private car parking arrangements in Town Centres, including investigating shared parking arrangements 	<p>March 2013 <u>July 2013</u></p>
<ul style="list-style-type: none"> Report to Council Member Forum on review 	<p>May 2013 <u>September 2013</u></p>
<ul style="list-style-type: none"> Report to Council for consideration 	<p>July 2013 <u>November 2013</u></p>
<ul style="list-style-type: none"> Advertise amendment to Local Law on Government Gazette 	March 2011
<ul style="list-style-type: none"> Amendment to local law finalised 	March 2011
16. Maintenance and re-design of off-street Car Parks	
<ul style="list-style-type: none"> Report to Council on options to re-design existing off-street car parks, including: Barlee Street Car Park and Rosemount Hotel and View Street Car Park 	<p>March 2014 <u>December 2013</u></p>
<ul style="list-style-type: none"> Resolution of above report to inform 2014-2015 Budget 	<p>May 2014 <u>March 2014</u></p>

Low Priority 2018+

Action	Indicative Dates
2018/2019 Financial Year	
17. Introducing Maximum Parking Ratios	
<ul style="list-style-type: none"> Internal review of the City's Parking and Access Policy with respect of introducing maximum parking ratios in activity centres and growth corridors 	February 2018
<ul style="list-style-type: none"> Report to Council Member Forum 	April 2018
<ul style="list-style-type: none"> Report to Council to advertise amendments 	May 2018
<ul style="list-style-type: none"> Advertise amendments 	May/June 2018
<ul style="list-style-type: none"> Report to Council to endorse amendments 	July 2018
<ul style="list-style-type: none"> Final advertising 	August 2018
18. Consideration of 2P Parking on Residential Streets	
<ul style="list-style-type: none"> Internal surveys undertaken on areas subject to all day commuters and locations of high-density residential developments 	March 2018
<ul style="list-style-type: none"> Report to Council Member Forum on review 	May 2018
<ul style="list-style-type: none"> Report to Council on review 	July 2018

In accordance with the Indicative Timeline outlined above, during 2011/2012 and 2012/2013 Financial Years, the City's Officers will be focussing on the following projects:

- The development of a Way Finding Signage Strategy and the implementation of the strategy, including the installation of the signage within and around the Town Centres;
- The review of the City's Parking and Access Policy; and
- Research and review of the concept of Parking Benefit Districts.

CONSULTATION/ADVERTISING:

Given the overarching recommendations in the Car Parking Strategy and Precinct Parking Management Plans promote a significant shift in the City's traditional 'supply and demand' approach to parking, it is recognised that appropriate consultation and publicity will be required to effectively implement the key actions of the Car Parking Strategy Implementation Plan 2010 – 2018.

LEGAL/POLICY:

- The City of Vincent Town Planning Scheme No. 1 and associated Policies;
- City of Vincent Local Law relating to Parking and Parking Facilities 2007; and
- Local Government Act 1995 and Regulations relating to Tenders.

RISK MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 1 states:

“Natural and Built Environment

“1.1: *Improve and maintain the natural and built environment and infrastructure:*

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

1.1.5 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.”*

SUSTAINABILITY IMPLICATIONS:

The long-term sustainability of the City's current car parking operations are questioned in the Car Parking Strategy Review Report that was adopted by the Council at its Ordinary Meeting held on 9 March 2010. The Strategy Review Report details methods in which the City can affect a paradigm shift in its methods of providing and managing parking throughout the City, with a view to achieving greater sustainability. These principles are supported further in the recommendations detailed in the Precinct Parking Management Plans and have been consolidated in the *Car Parking Strategy Implementation Plan 2010–2018*.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure incurred from the Way Finding Signage Strategy is under the following budgeted item:

‘Car Parking Strategy’

Budget Amount: \$70,000
Spent to Date: \$731
Balance: \$69,269

‘Parking Strategy Implementation – Associated Signage’

Budget Amount: \$50,000
Spent to Date: \$11,124
Balance: \$38,876

COMMENTS:

In light of the above, it is recommended that the Council notes the progress of the *Car Parking Strategy Implementation Plan 2010–2018* and Indicative Timeline.

9.2.1 Beaufort Street Enhancement Working Group – Progress Report No. 4

Ward:	South	Date:	17 February 2012
Precinct:	Beaufort (13)	File Ref:	TES0067
Attachments:	001 – Costing Schedule; 002 – Location of Proposed Artwork Maps		
Tabled Items	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. APPROVES the proposed first (1st) stage Enhancement Works in Beaufort Street, estimated to cost \$182,400 as outlined in Appendix 9.2.1A to C and on attached plan No. 2782-CP-01B and No. 2782-CP-02B, as follows:

Item	Description	Quantity	Rate	Amount
1	Bus Shelter			
	Supply and place with Green Wall	2	\$44,000	\$88,000
	LED lighting	2	\$2,500	\$5,000
2	Public Seating 'Twig' Seating			
	Twig @ Hungry Jacks (Illuminated)	4	\$8,500	\$34,000
3	Small Style 'New York' Seating			
	Fabrication of seats	12	\$1,200	\$14,400
	Artwork/design	12	\$500	\$6,000
4	Planter Boxes			
	Installed around trees	5	\$2,500	\$12,500
	LED Solar lighting	5	\$500	\$2,500
5	Landscaping			
	Area on verge Hungry Jack's			\$5,000
6	Street Litter Bins			
	Supply and Install Bins	10	\$1,000	\$10,000
	Install landscaping at base of bins			\$5,000
	Total			\$182,400

2. AUTHORISES the City's Administration to liaise with the Beaufort Street Enhancement Working Group to deliver Stage One (1) of the project.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Carey, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr McGrath departed the Chamber at 8.10pm.

Debate ensued.

Cr McGrath returned to the Chamber at 8.11pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of the community consultation regarding the first (1st) stage of the proposed Enhancement Works in Beaufort Street.

BACKGROUND:

At its ordinary meeting held on 20 December 2011 the Council considers a report of the first (1st) stage of the proposed Enhancement Works in Beaufort Street where the following decision was made:

“That the Council;

1. *APPROVES IN PRINCIPLE the proposed first (1st) stage Enhancement Works in Beaufort Street, estimated to cost \$182,400, as follows:*

<i>Item</i>	<i>Description</i>	<i>Quantity</i>	<i>Rate</i>	<i>Amount</i>
1	<i>Bus Shelter</i>			
	<i>Supply and place with Green Wall</i>	2	\$44,000	\$88,000
	<i>LED lighting</i>	2	\$2,500	\$5,000
2	<i>Public Seating ‘Twig’ Seating</i>			
	<i>Twig @ Hungry Jacks (Illuminated)</i>	4	\$8,500	\$34,000
3	<i>Small Style ‘New York’ Seating</i>			
	<i>Fabrication of seats</i>	12	\$1,200	\$14,400
	<i>Artwork/design</i>	12	\$500	\$6,000
4	<i>Planter Boxes</i>			
	<i>Installed around trees</i>	5	\$2,500	\$12,500
	<i>LED Solar lighting</i>	5	\$500	\$2,500
5	<i>Landscaping</i>			
	<i>Area on verge Hungry Jack’s</i>			\$5,000
6	<i>Street Litter Bins</i>			
	<i>Supply and Install Bins</i>	15	\$1,000	\$10,000
	<i>Install landscaping at base of bins</i>			\$5,000
	<i>Total</i>			\$182,400

2. *ADVERTISES the proposal in accordance with the requirements of the City’s Consultation Policy;*
3. *RECEIVES a further progress report at the conclusion of the consultation period; and*
4. *CONSIDERS listing appropriate funding of \$400,000 for stage two (2) of the project, as outlined in the report, in the 2012/2013 draft Budget.”*

DETAILS:

Community Consultation:

On 17 January 2012, 296 letters were distributed to businesses/residents in and around Beaufort Street. The consultation was also posted on the City’s website and advertised in a local newspaper.

At the close of consultation, on 7 February 2012, forty eight (48) responses were received. ALL were in favour of the proposal.

A summary of the comments received as follows:

- Thirty three (33) in favour of the proposal with no further comment,
- The plans look great! no further comment.
- The plans look great!
- I like the idea of a ‘living’ bus stop, overall Beaufort St needs greening, more shade plants please. Don’t be afraid to invest in the best possible design.

- The improvements are good however feel it should continue down to the Queens Hotel area as well.
- Although there are a range of works that need to be undertaken in order to provide a more pedestrian oriented environment, the proposal represents an excellent 'first step' to ongoing streetscape works.
- I commend the city for its commitment to creating a more urban and cosmopolitan Beaufort Street and particularly like the 'New York' style seating, would like to see it continue further down Beaufort Street and possibly more practical artwork as well.
- I fully support public art in Beaufort Street precinct.
- A wonderful start to a public art programme, it would be desirable to take it to the next level and have a major installation as well.
- Happy with proposal, however I don't like the 'Twig' seat, the 'New York' style seats look like graffiti and the litter bins would look better with solid sides.
- As the head of a youth orientated non-government organisation operating in the area. The proposal engages the community in the development of the area and encourages vibrancy that will suit a range of ages in the area.
- This strip generates massive economic and social benefits to ratepayers. Some more greening and public art would help.
- More of this sort of development.
- I am in favour of the proposal. The 'Twig' seat as seating outside Hungry Jacks may encourage the clients to linger longer and there is already a litter and noise pollution issue.
- I'm in favour of the streetscape furniture on Beaufort Street, in particular the 'New York' style seating outside the IGA.
- We desperately need more street art in Beaufort Street.
- More artwork required on Beaufort Street.

Beaufort Street Enhancement Working Group Meeting – 15 February 2012:

The above comments were provided to the group and discussed at the above meeting. The group was advised that two (2) of the respondents indicated that while they supported the overall proposal, they did not like the 'Twig' seat and one (1) of those indicated they did not like the 'New York' style seats and that the litter bins would look better with solid sides.

The group noted that the remainder of the respondents i.e. 46 out of the 48 liked the proposal and offered a number of positive suggestions.

Officers Comments

Twig Seating:

All but two (2) of the respondents were in favour of the proposal to install three (3) or four (4) 'twig' seats to be located in the verge outside Hungry Jacks including the verge area, which forms part of the MRS widening reserve adjacent to Hungry Jacks, being landscaped to incorporate the twig seating.

In addition the Hungry Jacks Management advised that the City that the proposed seats (which will be 'lit up' internally) could be connected to the Hungry Jacks Power supply (for a nominal running cost fee). Litter bin/s will be installed in the vicinity of the seats.

It is considered that the seats and associated landscaping will form a point of interest in the street and add value to the streetscape.

New York' style Seats/Litter Bins

All but one (1) of the respondents supported the installation of the proposed New York seating including the design of the litter bins. As previously reported to Council small garden beds will be installed at the base of the litter bins e.g. 'Chinese star jasmine' to compliment the litter bins. It is considered that the New York seating will add to the eclectic nature of the strip.

It is considered that what has been proposed will enhance the amenity of the street.

Other Comments made:

More art works, a major artwork, extending the works and greening of the street will all be further considered by the group and as resolved by the Council at its Ordinary meeting held on 20 December 2011, additional funds will be listed for consideration in the 2012/2013 draft budget to further progress the project.

Conclusion/Recommendation:

Given the overwhelming positive response from the community regarding the proposal it is considered that the Council approve stage one (1) of the Enhancement Works in Beaufort Street, estimated to cost \$182,400, (as outlined in the recommendation).

Also given the 'varied' scope of the project and the close involvement of the officers and the Working Group in the proposal to date, it is considered most desirable for the working group to work with the City's administration to progress the matter to the delivery/implementation stage.

CONSULTATION/ADVERTISING:

The proposal was advertised in accordance with the City's policy.

LEGAL/POLICY:

Beaufort Street is classified as a District Distributor A road under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

Low: Improvement to aesthetics and amenities.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

Objective 1.1: Improve and maintain the natural and built environment and infrastructure
1.1.5: Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment. (a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."

SUSTAINABILITY IMPLICATIONS:

To improve the economic vibrancy of the area and make the area more sustainable for both business activities by the type of infrastructure improvements proposed.

FINANCIAL/BUDGET IMPLICATIONS:

As previously reported to the Council, the 2011/2012 budget contains the following:

- Street furniture, seating/shade \$120,000 (Beaufort Street)
- Removal of palm trees \$ 12,000 (Beaufort Street)
- Street Litter Bins \$ 40,000 (Beaufort and other streets)*
- Bus Shelter \$ 30,000 (Beaufort Street)

Note*: \$20,400 allowed for Beaufort Street.

Expenditure for this matter will be incurred under the following budgeted item:

- Budget Amount: \$ 182,400 (\$120,000 + \$12,000 + \$20,400 + \$30,000)
- Spent to Date: \$ Nil
- Available funds: \$ 182,400
- Estimated Cost: \$ 182,400

COMMENTS:

The Beaufort Street Enhancement Working Group has met on a number of occasions and many ideas/proposal have been discussed.

At the group's December 2011 meeting general consensus was reached on a way forward which was subsequently approved 'in principle' by the Council, subject to engaging with the community.

The community consultation resulted in overwhelming support for the proposal and it is therefore recommended that the Council adopt the Officer Recommendation.

9.2.2 Possible Provision of Additional Parking in the City of Vincent – Further Report

Ward:	Both	Date:	22 February 2012
Precinct:	All	File Ref:	PKG0001 & PLA0084
Attachments:	001 – Proposed Carparking Bays; 002 – Overview of Proposals		
Tabled Items:	-		
Reporting Officers:	R Lotznicker, Director Technical Services C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the implementation of:

1.1 the additional 'on road' parking estimated to cost \$232,500 as indicated on attached Plan Nos. 2898-CP-01A, 2919-CP-01, 2902-CP-01A, 2897-CP-01A, 2873-CP-01 and 2743-CP-01A as outlined in the following table;

Street	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
Chelmsford Rd 2898-CP-01A	parallel	north	-	3	3	\$15,000
Mary St: 2919-CP-01	90 deg	north	3	5	2	\$15,000
Harold St: 2902-CP-01A	90 deg	south	7	14	7	\$30,000
Stirling St: 2902-CP-01A	90 deg	east & west	24	46	22	\$110,000
Broome St: 2897-CP-01A	90 deg	north	5	10	5	\$20,000
# Chatsworth 2873-CP-01	parallel	south	-	2	2	\$7,500
Melrose St 2743-CP-01A	90 deg	north & south	7	14	7	\$35,000
			46	94	48	\$232,500

Chatsworth Road Plan 2873-CP-01 previously approved at the Ordinary Meeting of Council held on 11 October 2011 (Item 9.2.1).

1.2 the following 'restrictions' for the additional parking:

Street	Type
Chelmsford Rd: 2898-CP-01A	1P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
Mary St: 2919-CP-01	Ticket parking (1st hour Free 8.00am – 7.00pm) 2P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
Harold St: 2902-CP-01A	3P at all times
Stirling St: 2902-CP-01A	3P at all times

Street	Type
Broome St: 2897-CP-01A	Ticket parking (1st hour Free 8.00am – 7.00pm) 2P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
# Chatsworth: 2873-CP-01	15 min at all times
Melrose St: 2743-CP-01A	2P 8.00am to 5.30pm Monday to Friday, 8.00am to 12noon Saturday.

2. APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$232,500 from the 'Cash-in-Lieu for Parking' Trust Fund, to fund the proposed works.

Moved Cr Carey, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr McGrath, Seconded Cr Maier

That clause 1 be amended to delete Harold St as follows:

- "1. APPROVES the implementation of:

- 1.1 the additional 'on road' parking estimated to cost \$232,500 as indicated on attached Plan Nos. 2898-CP-01A, 2919-CP-01, 2902-CP-01A, 2897-CP-01A, 2873-CP-01 and 2743-CP-01A as outlined in the following table;

Street	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
Chelmsford Rd 2898-CP-01A	parallel	north	-	3	3	\$15,000
Mary St: 2919-CP-01	90 deg	north	3	5	2	\$15,000
Harold St: 2902-CP-01A	90 deg	south	7	14	7	\$30,000
Stirling St: 2902-CP-01A	90 deg	east & west	24	46	22	\$110,000
Broome St: 2897-CP-01A	90 deg	north	5	10	5	\$20,000
# Chatsworth 2873-CP-01	parallel	south	-	2	2	\$7,500
Melrose St 2743-CP-01A	90 deg	north & south	7	14	7	\$35,000
			46 <u>39</u>	94 <u>80</u>	48 <u>41</u>	\$232,500 <u>\$202,500</u>

Chatsworth Road Plan 2873-CP-01 previously approved at the Ordinary Meeting of Council held on 11 October 2011 (Item 9.2.1).

- 1.2 the following 'restrictions' for the additional parking:

Street	Type
Chelmsford Rd: 2898-CP-01A	1P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
Mary St: 2919-CP-01	Ticket parking (1st hour Free 8.00am – 7.00pm) 2P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight

Street	Type
Harold St: 2902-CP-01A	3P at all times
Stirling St: 2902-CP-01A	3P at all times
Broome St: 2897-CP-01A	Ticket parking (1st hour Free 8.00am – 7.00pm) 2P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
# Chatsworth: 2873-CP-01	15 min at all times
Melrose St: 2743-CP-01A	2P 8.00am to 5.30pm Monday to Friday, 8.00am to 12noon Saturday.

Debate ensued.

AMENDMENT NO 1 PUT AND LOST (3-6)

For: Cr Buckels, Cr McGrath, Cr Maier
Against: Mayor Hon. MacTiernan, Cr Carey, Cr Harley, Cr Pintabona, Cr Topelberg, Cr Wilcox

Debate ensued.

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr Buckels

That subclause 1.1 and clause 2 be amended to read as follows:

“1.1 the additional ‘on road’ parking estimated to cost ~~\$232,500~~ \$212,500 as indicated on attached Plan Nos. 2898-CP-01A, 2919-CP-01, 2902-CP-01B-A, 2897-CP-01A, 2873-CP-01 and 2743-CP-01A as outlined in the following table;

Street	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
Chelmsford Rd 2898-CP-01A	parallel	north	-	3	3	\$15,000
Mary St: 2919-CP-01	90 deg	north	3	5	2	\$15,000
Harold St: 2902-CP-01A	90 deg	south	7	14	7	\$30,000
Stirling St: 2902-CP-01A	90 deg	east & west	24 <u>18</u>	46 <u>33</u>	22 <u>15</u>	\$110,000 <u>\$90,000</u>
Broome St: 2897-CP-01A	90 deg	north	5	10	5	\$20,000
# Chatsworth 2873-CP-01	parallel	south	-	2	2	\$7,500
Melrose St 2743-CP-01A	90 deg	north & south	7	14	7	\$35,000
			46 <u>40</u>	94 <u>81</u>	48 <u>41</u>	\$232,500 <u>\$212,500</u>

Chatsworth Road Plan 2873-CP-01 previously approved at the Ordinary Meeting of Council held on 11 October 2011 (Item 9.2.1).

2. **APPROVES BY AN ABSOLUTE MAJORITY to reallocate ~~\$232,500~~ \$212,500 from the ‘Cash-in-Lieu for Parking’ Trust Fund, to fund the proposed works. ”**

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr McGrath, Cr Maier,
Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Harley

Debate ensued.

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

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath,
Cr Topelberg, Cr Wilcox

Against: Cr Maier, Cr Pintabona

COUNCIL DECISION ITEM 9.2.2

That the Council;

1. APPROVES the implementation of:

1.1 the additional 'on road' parking estimated to cost \$212,500 as indicated on attached Plan Nos. 2898-CP-01A, 2919-CP-01, 2902-CP-01B, 2897-CP-01A, 2873-CP-01 and 2743-CP-01A as outlined in the following table;

Street	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
Chelmsford Rd 2898-CP-01A	parallel	north	-	3	3	\$15,000
Mary St: 2919-CP-01	90 deg	north	3	5	2	\$15,000
Harold St: 2902-CP-01A	90 deg	south	7	14	7	\$30,000
Stirling St: 2902-CP-01A	90 deg	east & west	18	33	15	\$90,000
Broome St: 2897-CP-01A	90 deg	north	5	10	5	\$20,000
# Chatsworth 2873-CP-01	parallel	south	-	2	2	\$7,500
Melrose St 2743-CP-01A	90 deg	north & south	7	14	7	\$35,000
			40	81	41	\$212,500

Chatsworth Road Plan 2873-CP-01 previously approved at the Ordinary Meeting of Council held on 11 October 2011 (Item 9.2.1).

1.2 the following 'restrictions' for the additional parking:

Street	Type
Chelmsford Rd: 2898-CP-01A	1P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
Mary St: 2919-CP-01	Ticket parking (1st hour Free 8.00am – 7.00pm) 2P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight

Street	Type
Harold St: 2902-CP-01A	3P at all times
Stirling St: 2902-CP-01A	3P at all times
Broome St: 2897-CP-01A	Ticket parking (1st hour Free 8.00am – 7.00pm) 2P ticket parking 8.00am – 7.00pm Ticket parking (no time restriction) 7.00pm to midnight
# Chatsworth: 2873-CP-01	15 min at all times
Melrose St: 2743-CP-01A	2P 8.00am to 5.30pm Monday to Friday, 8.00am to 12noon Saturday.

2. **APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$212,500 from the 'Cash-in-Lieu for Parking' Trust Fund, to fund the proposed works.**

PURPOSE OF REPORT:

The purpose of this report is to provide further information relating to opportunities for the provision of additional parking bays and other related improvements as requested by the Council at its Ordinary Meetings held on 25 October and 8 November 2011.

BACKGROUND:

At its Ordinary Meeting of 8 November 2011 the Council received a report on the *possible provision of additional parking in the City of Vincent* where the following decision, in part, was made:

"That the Council;

3. *REQUESTS as a priority, the Chief Executive Officer to:*
- 3.1 *prepare concept plans and indicative cost estimates for the implementation of the proposed additional parking as outlined in the following tables and undertake community consultation in regards to the perceived need for and any implications of each parking proposal and whether they be paid parking **and/or time** restricted, for a period of fourteen (14) days and arrange a separate public meeting/forum (to be completed by February 2012) for each of the:*

- *Mount Lawley/Highgate; and*
- *Leederville;*

Activity Centres to be held concurrently with the posting of the consultation letters, in accordance with the City's Consultation Policy for the following locations:

Mount Lawley/Highgate

Street	Section	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
Chelmsford Rd Plan A	Beaufort to ROW	parallel	north	-	4	4	\$15,000
Mary St: Plan B	Beaufort to ROW	90 deg	north	4	7	3	\$15,000
Harold St: Plan D	Stirling to No 103	90 deg	south	8	20	12	\$30,000

Street	Section	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
<i>Stirling St: Plan D</i>	<i>Harold to Nos 369-375</i>	<i>90 deg</i>	<i>west</i>	<i>17</i>	<i>37</i>	<i>20</i>	<i>\$85,000</i>
<i>Stirling St: Plan D</i>	<i>Harold to No 388</i>	<i>90 deg</i>	<i>east</i>	<i>5</i>	<i>14</i>	<i>9</i>	<i>\$25,000</i>
<i>Broome St: Plan E</i>	<i>Beaufort St to ROW</i>	<i>90 deg</i>	<i>north</i>	<i>6</i>	<i>13</i>	<i>7</i>	<i>\$25,000</i>
<i># Chatsworth Rd* Plan F</i>	<i>Beaufort St to ROW</i>	<i>parallel</i>	<i>south</i>	<i>-</i>	<i>2</i>	<i>2</i>	<i>\$7,500</i>
<i>Total possible additional number of 'on road' parking bays</i>						<i>57</i>	<i>\$202,500</i>

Chatsworth Road Plan F previously approved at the Ordinary Meeting of Council held on 11 October 2011 (Item 9.2.1).

Leederville

Street	Section	Type	Side	Existing (Parallel)	Proposed (90 deg)	NET gain	Estimated Cost
<i>Melrose St Plan J</i>	<i>Oxford to ROW</i>	<i>90 deg</i>	<i>north & south</i>	<i>7</i>	<i>14</i>	<i>7</i>	<i>\$35,000</i>
<i>Total possible additional number of 'on road' parking bays</i>						<i>7</i>	<i>\$35,000</i>

GRAND TOTAL	64	\$237,500
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- 3.2 *identify a source of funds to install all or some of the proposed additional parking at the locations specified in clause 2.1 above;*
- 3.3 *prepare a brief for the engagement of a suitably qualified consultant to investigate the provision of multi deck parking in the Raglan Road, Chelmsford Road and Brisbane Street public car parks, in accordance with the recommendations of the adopted Car Parking Strategy; and*
- 3.4 *submit a further report once the matters outlined in clauses 3.1, 3.2 and 3.3 have been further investigated;”*

DETAILS:

Community Consultation – Mount Lawley/Highgate:

In accordance with Council's decision 244 Consultation packs were distributed to all affected stakeholders. The consultation pack contained a cover letter, information sheet, comment sheet and drawings of each of the proposed additional on-road parking areas, inviting comments via post, facsimile or email, with a closing date of 3 February 2012.

The information was also posted on the City's web site.

Outcome of the Public Consultation:

At the close of the consultation twenty-three (23) replies were received representing a response rate of 9.4%.

Of those seventeen (17) were in favour or part thereof, five (5) were against, one (1) other.

Related Comments *In Favour* of the Proposal: (17)

- 7 x in favour of the proposal with no further comment.
- This is absolutely essential if small businesses are to survive along the Beaufort Street Strip.
- Much needed to provide additional parking opportunities in an area already under pressure particularly at night and replace ugly uncared for verges that are often littered and an eyesore.
- This is a good idea but somewhat costly, why not provide an extra 40 parking spaces by the simple removal of the 'Resident Only' area on the southern side of Mary Street.
- I really support additional parking on Broome Street, it is very difficult to get parking in that area on a Friday and Saturday night.
- Finding parking in the area is difficult so more parking bays are needed.
- There is a distinct lack of parking in Beaufort Street.
- I strongly support the extra parking at Broome Street and throughout the suburbs.
- Using oversized verges, which are typically poorly maintained, for parking certainly makes spatial sense. While I support the extra provision of parking, I would not support a further increase in the parking capacity. Further increases in parking would undermine public transport infrastructure, as well as encourage local car use over more sustainable forms of transport.
- Support parking in areas 2-4 – would like to see 'one hour free' offered with any ticket area 1 – is ticket parking essential? I support the 3 bays in Chelmsford Road at restricted times. The 15 extra bays would be a welcome and significant improvement to parking in Beaufort Street Precinct.
- Desperately need more parking in Beaufort Precinct.

Related Comments *Against* the Proposal: (5)

- 1 x against the proposal with no further comment.
- Residents will not be able to park in front of their own homes, increase non resident parking, additional noise from patrons, the verge and street trees will be reduced. Will ticket machines be introduced? It will ruin the residential nature of our residential neighbourhood.
- I can easily say 'No', I'd prefer a soft landscape that's alive (green) instead of oil, rubbish and glass. I do not support this proposal in Broome Street.
- There are wider issues of traffic and parking in Highgate generally; a large volume of traffic comes via Vincent Street to access the flower shops on the weekends and special occasions, non local traffic avoiding the William/Vincent Streets lights use Chatsworth Road and Mary Street to avoid this. Closing or creating cul-de-sacs would be preferable, these solutions are 'band-aid' solutions only. Questionnaire about introducing timed parking sent out however not put into effect, why? Residential parking was also surveyed for Chatsworth Road and has not proceeded at this time. Commuters often park in Chatsworth Road to access transport into the CBD. A possible solution is partial closure of Chatsworth Road.

Related *Other* Comments:

- I do not support pay parking during the day on Beaufort Street. We must do everything to support our day-time retailers. I do not support the bays on Harold Street or any widening of the road near the corner of Harold and Beaufort Streets.

Public Forum – 1 February 2012:

The Forum was attended by seventeen (17) members of the public, four (4) Councillors and four (4) staff, two (2) each from Strategic Planning and Technical Services.

The Mayor chaired the meeting and sought comments and input from the respective staff as required.

The Director of Technical Services (DTS) provided a brief overview of the various proposals (refer appendix 9.2.2).

It was emphasised the number of bays attainable may vary in Harold, Stirling and Broome Streets depending upon the outcome of respective development proposals and/or potential redevelopment of the abutting properties. The DTS also pointed out that the City had added additional 'free' 15 minute parking bays in around Beaufort Street bringing the total to seventeen (17).

The DTS then provided a brief outline of the proposal for each street in which it is proposed to install additional parking with the Mayor then inviting questions from the floor.

Chelmsford Road – three (3) additional bays.

Nil comments about the proposed bays but some questioned where the access to the new development on the 'old' caryard site would be from and how it would impact upon parking. The DTS advised the developments on-site parking was off the rear Right of Way and not Chelmsford Road. There was also a question of whether the bays would be paid ticket parking or time restricted only? The Mayor advised that it was yet to be decided but given that parking on the southern side of Chelmsford Road was paid parking to be consistent, and given that there are two (2) free short term bays in Chelmsford Road that it would be paid parking.

Mary Street – two (2) additional bays.

Most seemed happy with the Mary Street concept plan that would result in two (2) additional bays on the northern side. In addition it was also seen as way to 'tidy up' the verge and improve the streetscape and amenity.

What generated the most discussion was the existing 'resident only' parking restriction on the southern side of Mary Street from the Right of Way that separates the commercial area from that of the residential area, to William Street. Many at the meeting saw this as an exclusive benefit for the residents of Mary Street that had not been extended to surrounding streets. Further, several people expressed an opinion that it was not justified as it increased the parking demand on adjoining streets and had an adverse impact upon the businesses in Beaufort Street. It was considered particularly frustrating that during the day large tracts of the southern side of Mary Street were vacant.

The Mayor acknowledged the issues but advised that it would have to be considered further as a separate matter.

Harold and Stirling Streets –twenty-seven (27) additional bays

The two streets were considered together as per the concept plan.

Most comments related to whether the bays were to be paid ticket parking or time restricted only. As per Chelmsford Road the residents were advised that had yet to be determined by Council. However they were assured that they would be eligible for residents parking permits in accordance with Councils current policy exempting them from fees and/or time restrictions.

Broome Street – five (5) additional bays

Similar comments and concerns were expressed to that of Harold and Stirling Streets. Further, it was pointed that one of the lots shown on the concept plan did not have rear access and if it were to be redeveloped in the future the perpendicular bays proposed adjacent the lot would have to be removed.

This was noted and the plans are to be amended accordingly.

It was also ventured that the additional Broome Street parking may take some of the pressure of Chatsworth Road.

The discussion broadened at that this point to include public transport and the possibility of introducing a 'Cat Bus' service from the City, up Beaufort Street, crossing into the City of Stirling side, and returning.

Chatsworth Road – two (2) additional bays

The DTS advised that two (2) additional parallel parking bays to be constructed on the southern side of Chatsworth Road had already been approved by Council. This would not only provide additional parking but also 'tidy up' the verge and eliminate illegal parking, which has been an ongoing issue for some considerable time.

Residents of Chatsworth Road attending the forum also raised issues of excessive traffic and speed and the subsequent dangerous situation given the narrowness of Chatsworth Road. The DTS advised that it would have to be considered as a separate matter.

Community Consultation – Leederville/Oxford Street:

In accordance with Council's decision of 8 November 2011 the City sent out twelve (12) Public Consultation packs as per the following:

- To all of the businesses and residents along, and abutting, Oxford and Melrose Streets, in the immediate area with in which the proposed angled parking is to be constructed. In addition letters were also posted to the registered property owners.

The consultation pack contained a cover letter, information sheet, comment sheet and drawings of each of the proposed additional on-road parking areas, inviting comments via post, facsimile or email, with a closing date of 3 February 2012.

The information was also posted on the City's web site.

Outcome of the Public Consultation

At the close of the consultation the City had received one (1) reply representing a response rate of 8.3%.

Related Comments *In Favour* of the Proposal:

- 1 in favour of the proposal with no further comment.

Melrose Street – seven (7) additional bays

Most seemed happy with the concept plan that would result in seven (7) additional bays. In addition it was also seen as way to 'tidy up' the verge and improve the streetscape and amenity.

Conclusion:

The results of the Public Consultations and Public Forum for the Possible Provision of Additional Parking in the City of Vincent in the Mt Lawley/ Highgate and Leederville areas indicates that most respondents and participants support the concept of additional on-road parking in the aforementioned areas.

In addition the time restrictions recommended will hopefully also provide some improvements in amenity

CONSULTATION/ADVERTISING:

Should the Council decide to progress to the next stage, detailed design would be undertaken on the priority areas, a further report presented to Council and Community Consultation with affected residents would be undertaken in accordance with the City's consultation policy prior to progressing the matter further. Consultation for a minimum of fourteen (14) days is prescribed in the City's Policy No. 4.1.5 – Community Consultation.

LEGAL/POLICY:

There is no legal consequence of the recommendation. An absolute majority decision is required to reallocate funds.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

Objective 1.1: Improve and maintain the natural and built environment and infrastructure.

1.1.5 Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe sustainable and functional environment."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

There are no funds allocated in the 2011/2012 budget for additional on road (or off road) parking.

It is recommended that the Council APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$232,500 from the 'Cash in Lieu for Parking' Trust Fund, to fund the proposed works. As at 20 February 2012 the Trust Fund contains \$1,310,407. The Trust Fund monies have been derived from the following streets:

Street	Suburb	Accumulated Amount
Angove Street	North Perth	\$21,044.00
Beaufort Street	Perth	\$81,802.48
Beaufort Street	Highgate	\$78,982.60
Beaufort Street	Mount Lawley	\$141,389.00
Brisbane Street	Perth	\$10,900.00
Bulwer Street	Perth	\$36,515.00
Bulwer Street	West Perth	\$896.00
Burt Street	Mount Lawley	\$2,635.00
Carr Place	Leederville	\$24,450.00
Carr Street	West Perth	\$6,215.61
Charles Street	North Perth	\$23,462.83
Chelmsford Road	Mount Lawley	\$7,781.00
Church Street	Perth	\$3,808.00
Coogee Street	Mount Hawthorn	\$4,031.00
Edward Street	Perth	\$8,000.00
Fitzgerald Street	West Perth	\$6,804.00
Fitzgerald Street	Perth	\$10,500.00
Fitzgerald Street	North Perth	\$58,384.00
Flinders Street	Mount Hawthorn	\$109,507.00
Green Street	Mount Hawthorn	\$12,973.00
Grosvenor Road	Mount Lawley	\$1,876.00
Hobart Street	North Perth	\$12,278.00
Hobart Street	Mount Hawthorn	\$18,775.00
Lacey Street	Perth	\$5,859.00

Street	Suburb	Accumulated Amount
Lake Street	Perth	\$5,224.38
Lord Street	Perth	\$2,257.20
Lord Street	Mount Lawley	\$12,940.00
Money Street	Perth	\$4,866.21
Monger Street	Perth	\$3,325.00
Monmouth Street	Mount Lawley	\$63,852.08
Newcastle Street	Leederville	\$37,287.45
Oxford Street	Leederville	\$135,617.00
Oxford Street	Mount Hawthorn	\$56,575.88
Raglan Road	Mount Lawley	\$6,160.00
Robinson Street	Perth	\$15,750.00
Scarborough Beach Road	North Perth	\$18,356.00
Scarborough Beach Road	Mount Hawthorn	\$78,122.47
Stirling Street	Perth	\$11,374.00
Stirling Street	Highgate	\$3,640.00
Stuart Street	Perth	\$12,542.00
Summers Street	East Perth	\$10,560.00
Vincent Street	Leederville	\$19,058.00
Walcott Street	Mount Lawley	\$13,322.00
Wasley Street	North Perth	\$5,700.00
Wellman Street	Perth	\$8,385.00
William Street	Perth	\$85,632.00
Woodville Street	North Perth	\$10,992.00
	TOTAL	\$1,310,407.19

COMMENTS:

Perpendicular on-road parking can be both an efficient and cost effective alternative to dedicated car parks. However, there are a number of constraints in respect of the land use, road classification, crossovers, street trees, width of road reserve, services in verge and potential impact upon resident amenity.

The provision of the additional car parking bays will no doubt be of assistance to businesses, residents and visitors to the area and approval of the Officer Recommendation is requested.

9.3.4 Review of the Annual Budget 2011/12

Ward:	Both	Date:	17 February 2012
Precinct:	All	File Ref:	FIN0025
Attachments:	001 – Budget Review Amendment Listing 002 – Statement of Financial Activity – Budget Review		
Tabled Items:	Nil		
Reporting Officer:	M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY** the adjustments to the 2011/2012 Annual Budget as reported in Appendix 9.3.4(a);
2. **ENDORSES** the Revised Budget 2011/2012 as reported in Appendix 9.3.4(b); and
3. **SUBMITS** a copy of the 2011/2012 mid year Budget Review and Council decision to the Department of Local Government, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996.

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr McGrath, Seconded Cr Buckels

That a new clause 4 be inserted as follows:

- “4. **APPROVES BY AN ABSOLUTE MAJORITY** the transfer of the monies held in the Cash in Lieu Parking Trust Fund to the Cash in Lieu Parking Reserve Fund.”

Debate ensued.

Cr Carey departed the Chamber at 8.58pm.

Debate ensued.

Cr Carey returned to the Chamber at 9.00pm.

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (9-0)

COUNCIL DECISION ITEM 9.3.4

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY the adjustments to the 2011/2012 Annual Budget as reported in Appendix 9.3.4(a);**
 2. **ENDORSES the Revised Budget 2011/2012 as reported in Appendix 9.3.4(b);**
 3. **SUBMITS a copy of the 2011/2012 mid year Budget Review and Council decision to the Department of Local Government, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996; and**
 4. **APPROVES BY AN ABSOLUTE MAJORITY the transfer of the monies held in the Cash in Lieu Parking Trust Fund to the Cash in Lieu Parking Reserve Fund.**
-

PURPOSE OF REPORT:

The purpose of this report is review the progress of the Annual Budget 2011/12 and to recommend adjustments to account for any major variances, funding reallocations, additional requirements or reflect Council decisions and provide amended estimates for the annual budget.

BACKGROUND:

The Local Government Act 1995 requires every Local Government to undertake a review of its budget at least once a year, in the period between January and March of a financial year (i.e. a mid year budget review).

The budget review must then be submitted to the Department of Local Government within the thirty (30) days of the end of the period.

No prescribed format has been requested by the Local Government Department as to the format of the budget review.

DETAILS:

The City's Administration has undertaken a review, as at 31 December 2011, to adjust for any major variances, funding reallocation, additional items required and the inclusion of previous decisions of the Council.

The amendments to the Budget are categorised as follows:

1. Items that have already been approved by Council since the adoption of the Budget:

These new items or adjustments have been approved by an Absolute Majority by the Council; these items are listed in attachment 9.3.4(a) of the report.
2. Permanent Differences:

Permanent differences occur when there is likely to be a difference between the current budget and the expected outcome to the 30 June next. On occasions, if these variances are certain, the budget may be amended to reflect the change, however this is not a requirement and the difference may remain to the end of the year. These variances will have an impact upon the expected budget surplus or deficit outcome and would be reported in the review if they are material.

3. Timing Differences:

A timing variance occurs when a project or budget allocation is likely to be delayed past the end of the financial year. These postponed projects will likely be re-budgeted in the next year and will require carryover funding.

Operating Expenditure:

Actual as at 31/12/2011	Budget YTD 31/12/2011	Annual Budget
\$20,774,537	\$21,099,424	\$42,263,978

As at 31 December 2011 the operating expenditure was **98.46%** of the year to date operating budget.

The major adjustments to the Operating Budget are for expenditure incurred as follows:

- creation of the Director Planning position as a result of the Organisational Restructure;
- adjustment to Beatty Park Leisure Centre budget due to the redevelopment of the Centre; and
- depreciation adjustments following the property revaluation conducted last year.

The minor adjustments to the Operating Expenditure Budget include:

The inclusion of IT and Telephone allowances for Council members.

Operating Expenditure Budget Programmes total adjustments as per the review:

	Actual 31/12/11	Budget 2011/12	Revised Budget 2011/12	Budget Amendment
Community Amenities	3816,161	8,158,830 <u>8,074,950</u>	8,158,830	83,880
Recreation and Culture	7,757,344	16,207,165	14,072,764	(2,134,401)
Governance	1,182,587	2,343,185	2,366,785	23,600
Law and Order Public Safety	525,558	1,068,845	1,106,845	38,000
Education and Welfare	562,816	1,124,303	1,159,303	35,000
Transport	4,822,756	10,115,010	9,679,535	(435,475)

Note: *The above table was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

Detailed comments on the individual operating expenditure budget amendments are listed below:

1. **Increase to the Budget for the Director Planning Position by \$83,880:**

Comment:

The increase to the Budget for the Director Planning Position was approved at the Ordinary Meeting of Council held on 8 November 2011, Confidential Item 14.3 Review of City's Organisational Structure – Creation of a new position of Director of Planning.

The change to the organisational structure was effective from 11 November 2011 therefore the increase in the budget amount has been apportioned accordingly.

2. Decrease to the Road Maintenance Budget for Proposed Safety Improvements to Chatsworth Road by \$7,500:

Comment:

The Council approved the reallocation of funds from the Road Maintenance Budget to undertake much needed safety/amenity improvements to Chatsworth Road.

This matter was adopted at the Ordinary Meeting of Council held on 11 October 2011 Item No 9.2.1.

3. Provision of an Information Technology Allowance for Council Members - \$9,000:

Comment:

It was resolved at the Ordinary Meeting of Council held on 8 November 2011 Item 9.4.4 that the Council would amend Policy 4.2.7 – “Council Member – Allowances, Fees and Re-imbursment of Expenses” to include an Information Technology Allowance.

4. Increase of the Council Members Telephone Allowance – \$14,600:

Comment:

It was resolved at the Ordinary Meeting of Council held on 8 November 2011 Item 9.4.4 that the Council would amend Policy 4.2.7 – “Council Member – Allowances, Fees and Re-imbursment of Expenses” to increase the Telephone Allowance.

5. Increase to Angove Street Festival - \$5,000:

Comment:

At the OMC held 20 December 2011 Item 9.4.1. The Council adopted to approve additional promotional assistance for the Angove Street Festival.

6. Amendments to Beatty Park Leisure Centre Operating Expenditure - \$2,359,401:

Comment:

The Indoor and Outdoor Pool have been closed from the Late October 2011.

The Centre’s Café and Retail Shop have been closed at the same time however a very reduced service is still being provided for patrons using the gym but this is being conducted from the temporary reception.

The Swim School is continuing at the Aqua Life at Victoria Park with 500 enrolments.

The budget has been amended to reflect the current operational position.

Whilst the majority of the sections have reduced it is noted that two have increased this is as result of these receiving increased allocations from the administration as these are the two sections that have remained open during the redevelopment phase.

The details are listed as follows:

• Swimming Pool Area reduced by	\$1,442,646
• Swim School reduced by	\$ 366,252
• Café reduced by	\$ 471,261
• Retail shop reduced by	\$ 239,125
• Aquarobics reduced by	\$ 90,113
• Creche reduced by	\$ 12,495
• Cycling Fitness reduced by	\$ 12,300
• Health and Fitness increased by	\$ 151,990
• Group Fitness increased by	\$ 122,801

7. Increase to Safer Vincent Projects by \$38,000:

Comment:

Grant funding has been received to fund the "Secure a Safer Vincent" and "Rough Sleepers Workshop", both of these projects are to be undertaken in 2011/12.

8. Amendments to Depreciation Accounts - \$172,975:

Comment:

A number of accounts are required to be amended a result of increased property valuations following the uptake of the revaluation figures, the amounts were posted after the preparation of the budget. It should be noted that depreciation is a non cash item and there does not have an impact of the cash position of the City.

Operating Revenue:

Actual as at 31/12/2011	Budget YTD 31/12/2011	Annual Budget
\$30,994,901	\$32,422,374	\$41,577,475

The operating revenue is **4.4%** under the year to date budgeted revenue as at 31 December 2011.

The Operating Revenue Budget adjustments have been made due to reduced revenue received therefore, the following adjustments will be made to the annual budget estimates listed below:

- Beatty Park Leisure Centre due to the redevelopment; and
- Parking fines and kerbside parking revenue due to the later than scheduled installation of the new ticket machines.

However, adjustments have been made to increase revenue for the following:

- Reserve Investments;
- Cash in lieu parking contributions; and
- Work permits.

In addition, an adjustment to increase revenue estimates for the Operating Surplus at Leederville Gardens Retirement Village has been made as result of the surplus being larger than was budgeted.

Operating Revenue Budget Programmes total adjustments:

	Actual 31/12/2011	Budget 2011/12	Revised Budget 2011/12	Budget Amendment
General Purpose Funding	23,697,277	24,764,155	25,031,155	267,000
Governance	31,765	17,200	44,682	27,482
Law and Order Public Safety	131,912	93,410	170,410	77,000
Education Welfare	<u>179,995</u>	<u>201,240</u>	<u>275,622</u>	<u>74,382</u>
Community Amenities	666,472	488,826	738,826	250,000
Recreation and Culture	2,491,200	7,604,125 <u>7,612,125</u>	4,887,451 <u>4,895,451</u>	(2,716,674)
Transport	3,160,254	7,095,855	6,875,855	(220,000)

Note: The above table was corrected and distributed prior to the meeting. Changes are indicated by strikethrough and underline.

Detailed comments on the individual Operating Revenue item budget adjustments are listed below:

1. **Decrease Revenue Budget for Parking Infringements by approximately \$100,000:**

Comment:

Reduced revenue estimate is due to the later than scheduled installation of the new ticket machines. It was planned for the machines to be installed at the commencement of the new financial year (mid July 2011); however they were not installed to mid September 2011.

2. **Decrease Revenue Budget for Ticket Machine Revenue by \$120,000:**

Comment:

Reduced revenue estimate is due to the later than scheduled installation of the new ticket machines. It was planned for the machines to be installed at the commencement of the new financial year (mid July 2011); however they were not installed to mid September 2011.

3. **Decrease Revenue Budget for Beatty Park Leisure Centre - \$2,716,674:**

Comment:

All sections of the Centre have been affected by the closure of the pools, the reduced operation of the Café and Retail shop and inconvenience of the construction site.

The closure of the pools has had an impact on membership numbers, with many members opting to either suspend or cancel their membership.

The details are listed as follows:

- *Swimming Pool Area reduced by \$547,540*
- *Swim School reduced by \$697,132*
- *Café reduced by \$537,272*
- *Retail shop reduced by \$411,741*
- *Health and Fitness reduced by \$312,657*
- *Group Fitness reduced by \$ 80,170*
- *Aquarobics reduced by \$103,822*
- *Creche reduced by \$ 16,443*
- *Cycling Fitness reduced by \$ 9,897*

4. **Increase Safer Vincent Grants by \$38,000:**

Comment:

Grant funds from Department of Crime Prevention have been received to fund the "Secure a Safer Vincent" and "Rough Sleepers Workshop" projects.

5. **Increase to Work Zone Permits - \$ 39,000:**

Comment:

The increase is attributed to the issuing of ten (10) parking bays at Washing Lane for a period of fifteen (15) months.

6. Increase to Reserve Fund Investments - \$267,000:

Comment:

The Reserve Fund Investments are currently exceeding the budget estimates; this is due to the fact that the City is receiving higher than anticipated investment rates than budgeted.

In January 2012 the City received its loan funds for the Beatty Park Redevelopment; this together with the funds to be received from our nib Stadium lease agreement is the reason for the anticipated increase in investment income.

7. Increase in Development Applications - \$ 50,000:

Comment:

It is anticipated that the budget estimate will be exceeded due to an increase in the number of Development Applications.

8. Increase Revenue Budget for Leederville Gardens Surplus by \$74,382:

Comment:

The surplus for the financial year 2010/11 for the Leederville Gardens Village was above the estimated budget amount as determined by the prescribed formula for an amount to be transferred to the City.

9. Increase in monies from LGIS Members Experience Bonus System. – \$27,482:

Comment:

The City uses LGIS for its Insurance which is a self insured operation and it benefits on the receipt of bonus payments which the City uses for the benefits of the employees of the City and in this case is being used in part to fund the Organisational Risk Management project currently being undertaken.

10. Increase to Cash in Lieu Contributions - \$200,000:

Comment:

This increase is due to the change of treatment of this revenue in transferring it directly to the Cash in Lieu Parking Reserve Fund.

Reserve Funds – Transfers from:

1. Increase Reserve Funding from the Administration & Civic Centre Reserve Fund by - \$107,350:

Comment:

The use of these reserve funds is to finance the Council approved expenditure to accommodate the office changes to the Administration Centre and the Depot.

2. Increase Reserve Funding from the Light Vehicle Fleet Reserve by \$37,000:

Comment:

The use of the Reserve Funds is required to purchase the vehicle for the newly created position of the Director of Planning (Adopted OMC 8 November 2011).

3. Increase the Reserve Funding from the Electronic Equipment Reserve Fund by \$20,050:

Comment:

The use of the Reserve Funds is to meet the IT requirements of the changes made by the Organisational Structural Review. (Adopted OMC 8 November 2011).

Reserve Funds Transfers to:

1. Increase Reserve Funding to the Aged Person Reserve Fund by \$74,382:

Comment:

The funds are transferred from the Surplus raised from the Leederville Gardens Village following a prescribed formula.

2. Increase Investment Reserve Revenue to all Reserve Funds by \$267,000:

Comment:

These funds will be received as result of increased investment revenue and will be allocated across all the Reserve Funds held by the City in accordance with the balance held in each individual reserve fund.

3. Increase Reserve Funding to the Cash in Lieu Parking Reserve Fund by \$200,000:

Comment:

The funds will be transferred from the Cash in Lieu Parking contribution account.

Capital Expenditure:

	Annual Budget 2011/2012	Annual Budget as at 30/12/2011	Revised Budget 2011/12	Budget Amendment
Furniture and Equipment	183,000	217,757	246,497	28,740
Plant and Equipment	1,126,500	289,400	326,400	37,000
Land and Buildings	15,154,425	6,387,525	15,279,775	125,350
Infrastructure	12,082,448	3,325,933	12,097,670	15,222
TOTAL:	\$28,546,373	\$10,220,615	\$27,975,342	\$231,312

Furniture and Equipment - \$28,740:

The budget has been amended to purchase computer equipment associated with the office alterations, Ipads for improvements to the Council agenda process and the fridge for Britannia Reserve Clubrooms.

Plant and Equipment - \$37,000:

The budget has been amended to accommodate a vehicle for the Director of Planning.

Land and Buildings - \$125,350:

The budget has been amended for the inclusion of the reconfiguration of workstations in the Building, Planning and Customer Services areas.

Infrastructure - \$15,222:

The budget for the Hyde Park Water Playground has been increased to allow this important community facility to be upgraded and compliant with the new Health Department requirements.

Funds have also been allocated to allow the construction of angled parking in some specified locations where it is deemed additional parking is required.

There are a number of projects that are not being undertaken in this financial year.

Detailed comments on the individual Capital Expenditure Budget items are listed below:

- 1. Include Capital Expenditure Budget for Implementation of Tablet Computers for \$9,700:**

Comment:

This budget line item was adopted at the Ordinary Meeting of Council held on 27 September 2011 Item 9.4.4 to provide thirteen (13) tablet computers for Council meetings.

- 2. Include Capital Expenditure Budget for Office alterations to the City Administration and Civic Centre for \$85,350:**

Comment:

It was adopted at the Ordinary Meeting of Council held on 11 October 2011 Item 9.4.4 that modifications to the City's offices and Customer Service Centre would be carried out.

- 3. Include Capital Expenditure Budget for proposed safety improvements to Chatsworth Road for \$7,500:**

Comment:

It was adopted at the Ordinary Meeting of Council held on 11 October 2011 Item 9.2.1 that safety/amenity improvements at the south/east side of Chatsworth Road be carried out.

- 4. Include Capital Expenditure Budget for Administration and Civic Centre alterations for \$22,000:**

Comment:

At the Ordinary Meeting of Council held on 8 November 2011 Confidential Item 14.3, the Council approved the creation of a Director of Planning and Director of Community Services positions this required office alterations to be made.

5. Include Capital Expenditure Budget for Depot office alterations for \$18,000:

Comment:

At the Ordinary Meeting of Council held on 8 November 2011 Confidential Item 14.3, the Council approved the creation of a Director of Planning and Director of Community Services positions this required office alterations to be made.

6. Include Capital Budget expenditure for purchase of Director Planning vehicle for \$37,000:

Comment:

The requirement for the vehicle is that it is a component of the salary package for the new Director of Planning position.

7. Include Capital Expenditure Budget amount for IT requirements as part of the Organisational Structure review for \$10,350:

Comment:

At the Ordinary Meeting of Council held on 8 November 2011 Confidential Item 14.3, the Council approved the creation of a Director of Planning and Director of Community Services positions this required office alterations to be made.

8. Include Capital Expenditure Budget amount for the purchase of a Commercial fridge at Britannia Reserve Clubrooms for \$8,690:

Comment:

It was adopted at the Ordinary Meeting of Council held on 22 November 2011 Item 9.3.5 that the commercial fridge located at the Britannia Reserve Clubrooms would be purchased from the Leederville Cricket Club.

9. Increase Capital Expenditure Budget for the Hyde Park Water Playground by \$180,000:

Comment:

At the Ordinary Meeting of Council held on 20 December 2011, the Council approved the additional funding for the Design and Construction of the Hyde Park Water Playground.

10. Include Capital Expenditure Budget amount for Angled Parking for \$237,000:

Comment:

At the Ordinary Meeting of Council held on 8 November 2011 the Council noted that the cost of implementing the additional car parking bays was \$237,000 this was to be funded from a source to be determined.

11. Increase Capital Expenditure Budget for the Kyilla Fitness Track by \$60,000:

Comment:

The budget is to be increased to accommodate the expenditure incurred by this project funded by Lottery West.

12. Reduce Capital Expenditure Budget for Depot Resurfacing Works by \$30,000:

Comment:

The budget for Depot resurfacing works is not required to proceed, therefore the funds have been utilised for the Depot alterations.

13. Reduce Capital Expenditure Budget for Solar Lighting Trial Clarence to Beaufort Street ROW by \$75,000:

Comment:

Solar lighting is not possible to trial, due to developments on this ROW.

14. Reduce Capital Expenditure Budget for Moir Street reconstruction by \$190,000:

Comment:

This project is not to proceed until the outcome of the LEP project is determined.

15. Reduce Capital Expenditure Budget for the Wetland Heritage Trail – Beatty Park Reserve by \$100,000:

Comment:

This project will not be undertaken until the completion of the redevelopment at Beatty Park, which will not be until the middle of the next financial year at least.

16. Reduce Capital Expenditure Budget for New Entry Sign Statements by \$75,000:

Comment:

At the Ordinary Meeting of Council held 20 December 2011 a rescission motion was adopted by Council. As a result, this project is not being undertaken.

Capital Grants:

1. Increase Grant Budget for Outdoor Exercise Equipment (Infrastructure) by \$65,000:

Comment:

This is to account for the grant received for this project from Lottery West.

A summary table of the complete Budget Review transactions are included in Attachment 9.3.4(a).

CONSULTATION/ADVERTISING:

Not Applicable.

LEGAL/POLICY:

The Local Government Act 1995 (Amended 2005) requires that a budget review be undertaken each financial year, in the period between January and March of a financial year.

RISK MANAGEMENT:

High: Failure to undertake a Budget review in the period between January and March in any financial year would be a breach of the Local Government Act (1995).

STRATEGIC IMPLICATIONS:

Plan for the Future Strategic Plan 2011-2016 - Key Result Area 4 – Leadership, Governance and Management:

“4.1 Provide Good Strategic Decision-Making, Governance, Leadership And Professional Management:

4.1.2(a) Adopt “best practice” to manage the financial resources and assets of the City.”

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

A number of the amendments made to the Budget have already been approved by Council during the course of this financial year. There are some recommended timing differences changes for a couple of major projects that will reflect the current scheduled timing of the projects.

There are some amendments to the Operating Budget following the timing of the commencement of the Beatty Park Redevelopment which were unknown at the time of the budget preparation. In addition some adjustments are required to a number of depreciation accounts following the asset revaluation undertaken.

As a result of the proposed amendments it is estimated that an increase in the financial position will be achieved.

COMMENTS:

The City is required, under the Local Government Act (1995) to conduct a review of its budget between January and March each financial year. The City is able to carry out further budget reviews and if required, may conduct a further review at the end of March 2012.

9.4.2 William Street Festival 2012 – Collaboration with City of Perth

Ward:	South	Date:	17 February 2012
Precinct:	Beaufort; P13	File Ref:	CMS0124
Attachments:	001 – Map of City of Perth Festival Area; 002 – Map of City of Vincent Festival Area		
Tabled Items:	Nil		
Reporting Officers:	E Everitt, Community Development Officer; J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

- SUPPORTS** a collaborative partnership with the City of Perth for the William Street Festival 2012 to be held on 18 March 2012 in the area shown on the map at Appendix 9.4.2; and
- AUTHORISES** the Chief Executive Officer to approve any requests which may be received from the City of Perth, which may arise in the finalisation of operational festival event matters.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Topelberg, Seconded Cr Carey

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

PURPOSE OF REPORT:

To seek approval from the Council for a collaborative partnership with City of Perth to add value to the William Street Festival.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 August 2011, the following Council decision was adopted (in part) in relation to William Street Festival;

“That the Council;

- APPROVES* the following festival events and funding as part of the Festivals programme for 2011/12:

<i>Event</i>	<i>Amount Allocated</i>	<i>Source</i>
<i>Angove Street – 2012</i>	<i>\$30,000</i>	<i>Festival Funding</i>
<i>Beaufort Street – November 2011</i>	<i>\$40,000</i>	<i>Festival Funding</i>
<i>Beaufort Street – November 2011</i>	<i>\$10,000</i>	<i>Festival Funding with road closure</i>
<i>William Street – March 2012</i>	<i>\$30,000</i>	<i>Festival Funding</i>
<i>William Street – March 2012</i>	<i>\$20,000</i>	<i>Festival Funding – Lotterywest Grant</i>
<i>William Street – March 2012</i>	<i>\$20,000</i>	<i>Harmony Festival Funding</i>

DETAILS:

City of Perth

The City's officers have been approached by the City of Perth Marketing Department with a proposal to collaborate on the William Street Festival. Their plans for the first year of participation with the William Street Festival would be to trial a closure between Newcastle and Francis Streets, using existing businesses in the area and working with the William Street Collective Group to coordinate market stalls and limited entertainment.

For 2012, the City of Perth (CoP) component of the event would consist of:

- 16 small stalls;
- 15 large stalls;
- 2 small music events;
- the primary purpose of these will be to provide ambience and will not include a stage production;
- Art Boxes: 10x Wooden Crates, used as temporary art exhibitions/installations where artists will be encouraged to do live installs on part or whole of their cube during the Festival; and
- a general call to members/businesses encouraging them to participate by having a special event in their premises and extending their trading in front of stores.

The CoP will manage approvals for temporary trading licences and temporary alfresco activation by existing food businesses.

The CoP Officers are still working on a Traffic Management Plan for this event; however, Newcastle Street would remain open for the duration of the Festival. The Officers from both Cities will work with each other on the plans for traffic closures, so that they can match in with bump-in and out times etc.

City of Vincent

The City of Vincent's event will take place on William Street between Brisbane and Newcastle Streets as shown in Appendix 9.4.2.

The City of Vincent have organised the following activities as part of the 2012 William Street Festival:

- 2 stages at either end which will feature World music and dance performances plus contemporary bands;
- Roving performances;
- Street music and dance performances;
- Welcome to Country with cultural dances and dijeridoo performance;
- Children's activities and entertainment;
- Youth activities such as painting workshops and interactive exhibits;
- A variety of art demonstrations and workshops; and
- Up to 60 market and food stalls.

The City's Officers have been liaising with the businesses on the street for the last few months to encourage participation and close to 80% of the businesses will be participating in the Festival in one form or another.

The City's Officers have finalised the Traffic Management Plan for the Festival to-date and the contractor has been informed of the possibility of liaising with the City of Perth contractor to ensure consistency.

CONSULTATION/ADVERTISING:

A comprehensive promotional strategy is being prepared for the Festival which includes advertising in both community newspapers, street banners, letter drop to residents and flyers/posters and possible use of social networking pages.

The City of Perth activities will be promoted as 'OnWilliam Street Market' as part of the William Street Festival. Key messages will match those of the City of Vincent.

With the involvement of the City of Perth, they would be advertising the event on the website showmep Perth.com.au that receives between 30,000 and 50,000 hits a month.

They also have general "What's On Advertising" in *The West Australian* and the *Sunday Times*, which the event could be listed on.

The City of Perth's destination campaign advertising promotes showmep Perth.com.au.

LEGAL/POLICY:

The City is responsible to ensure that all road closures undertaken within its boundaries are in accordance with the relevant Australian Standards and Main Roads WA *Traffic Management of Events Code of Practice*, and therefore, a suitably qualified and Main Roads WA accredited Traffic Management Contractor has been engaged.

The following Legislation and City's Policies are also in application for the execution of the Festival:

- Health (Public Buildings) Regulations 1992;
- Environmental Protection (Noise) Regulations 1997;
- Food Act 2008 and Food Regulations 2009;
- Policy No. 1.1.8 – Festivals; and
- Policy No. 3.8.3 – Concerts and Events.

RISK MANAGEMENT IMPLICATIONS:

Low: Previous festivals have been extremely popular and successful; however, factors such as weather on the day can be a contributing factor to attendance levels.

STRATEGIC IMPLICATIONS:

In keeping with the City of Vincent's Plan for the Future, *Strategic Plan 2011 – 2016*, Objective 3.1 states: -

"3.1: *Enhance and Promote Community Development and Wellbeing:*

3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity:*

(b) *Encourage and promote cultural an artistic expression throughout the City;*

3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life:*

(a) *Organise and promote community events, programs and initiatives that engage the community and celebrate cultural and social diversity of the City, including the development of a program for the holding of an event in each of the City's main commercial centre."*

SUSTAINABILITY IMPLICATIONS:

The purpose of the Festivals is to support business in the area and provide a diverse range of community events in the City. They would also provide an excellent opportunity to promote environmental/sustainability initiatives provided by the City and businesses in the area.

FINANCIAL/BUDGET IMPLICATIONS:

The Annual Budget 2011/2012 includes an amount of \$130,000 for the Festivals programme, of which \$70,000 has been allocated for the William Street Festival. The City of Perth has indicated that they are working with a budget of \$50,000 for their portion of the event.

COMMENTS:

If this collaborative event proves a successful event for both Cities, it would be something that could grow and develop further in coming years. There are mutual benefits for both Cities in the collaborative partnership which would provide for a larger quality event for the William Street Festival.

9.4.3 ACROD Parking on Loton Park

Ward:	South	Date:	17 February 2012
Precinct:	Beaufort; P13	File Ref:	RES0013
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J MacLean, Manager Ranger and Community Safety		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES BY AN ABSOLUTE MAJORITY** to:

1. introduce a parking fee, for ACROD Parking Permit Holders, to park on Loton Park during approved nib Stadium events at a flat rate of \$10 per vehicle, for vehicles that display a valid ACROD Parking Permit for the 2011/2012 financial year; and
3. amend the 2011/2012 Schedule of Fees and Charges, adopted at the Special Meeting of Council held on 5 July 2011, to include a parking fee for ACROD Park Permit Holders to park on Loton Park during approved nib Stadium events at a rate of \$10 per vehicle.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Harley, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

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

For: Mayor Hon. MacTiernan, Cr Buckels, Cr McGrath, Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Carey, Cr Harley, Cr Maier

PURPOSE OF REPORT:

The purpose of the report is to obtain approval from the Council to set a flat fee for ACROD Parking on Loton Park.

BACKGROUND:

Prior to events in nib Stadium, Rangers set aside 10 or 12 parking bays for use by vehicles that display a valid ACROD Permit. These bays are located in Brewer Street, close to Gate 3.

The Council approved the Fees and Charges Schedule, as part of the 2010/2011 and 2011/2012 Annual Budgets, which set a sliding scale of charges for parking on Loton Park, during approved events at nib Stadium. These fee scales are as follows:

LOTON PARK TEMPORARY EVENT PARKING	2010/2011	2011/2012	GST
Vehicle with one person	\$21	\$22	Y
Vehicle with two persons	\$20	\$21	Y
Vehicle with three persons	\$18	\$19	Y
Vehicle with four persons	\$17	\$18	Y
Vehicle with more than four persons	\$16	\$17	Y

However, while fees have been set for "standard" parking on Loton Park, no fee was specified for ACROD Permit Holders. As a result, it was decided that all vehicles, displaying a valid ACROD Permit, would be charged the lowest fee on the sliding scale.

DETAILS:

As a result of a complaint from an ACROD Permit Holder, that the scale of fees was excessive, it was considered appropriate to seek approval from the Council to set a flat fee for parking by people with a disability. However, given the fact that Loton Park is a public reserve and not a regular parking facility, and is subject to damage by vehicles using it as a car park, it is not considered appropriate to provide free parking on Loton Park, for any group.

As a rule, as well as the parking bays set aside in Brewer Street, the City sets aside space for around 15 ACROD Permit Holders, in the portion of Loton Park, immediately adjacent to Gate 4. In some cases, where there is a likelihood that a large number of ACROD Permit Holders will attend an event at nib Stadium, the City sets aside up to 40 parking bays for ACROD Parking.

However, given the benefits to ACROD Permit holders, including immediate proximity to Gate 4 and the fact that staff are in attendance to provide a safe and secure parking facility, it is considered appropriate to levy a fee for parking on Loton Park. It is suggested that a flat fee of \$10 per vehicle is appropriate for this service.

There will be a very slight reduction in the revenue generated for parking on Loton Park, but this will not be a significant amount.

CONSULTATION/ADVERTISING:

There is no need to undertake consultation or advertising.

LEGAL/POLICY:

There is no legal impediment associated with this recommendation.

RISK MANAGEMENT IMPLICATIONS:

There are no risk management implications associated with this report.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016*, Objective 1.1.5(b) states:

"1.1.5(b) Investigate the City's existing landholding and car parks for multi-use purposes."

SUSTAINABILITY IMPLICATIONS:

By charging a fee for parking on Loton Park, it ensures that any damage to the reserve can be quickly remediated and charged against the revenue generated. This ensures that the use as a temporary parking facility is sustainable in the long term.

FINANCIAL/BUDGET IMPLICATIONS:

There will be no expenditure for this matter and the consequential reduction in revenue will be minimal.

COMMENTS:

Because no fees have been set for parking by ACROD Permit Holders on Loton Park when an approved event is being held in nib Stadium, it has been the practice to levy a parking fee of \$17 per vehicle. However, it is considered appropriate for a specific fee to be set for this purpose and it is recommended that the fee be set at \$10 for the remainder of the 2011/2012 financial year. The amount for the 2012/2013 financial year will be considered as part of the Annual Budget deliberations.

The new fee is therefore recommended for approval.

9.5.1 City of Vincent Policies – Review of and New Policies

Ward:	-	Date:	20 February 2012
Precinct:	-	File Ref:	ADM0023
Attachments:	001 – Amended Policies 002 – New Policies		
Tabled Items:	003 – Rescinded Policies 004 – Re-adopted Policies without Change		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY of the following:

1. Policies to be AMENDED as shown in Appendix 9.5.1A:
 - 1.1 No. 1.1.6 - Community and Welfare Grants;
 - 1.2 No. 1.2.3 - Purchasing;
 - 1.3 No. 1.4.1 - Beatty Park Leisure Centre – Awarding of Life Membership;
 - 1.4 No. 2.2.6 - Truncations;
 - 1.5 No. 2.2.8 - Rights of Way;
 - 1.6 No. 3.8.8 - Rodent and Vermin Control – Assistance to Ratepayers; and
 - 1.7 No. 3.9.2 - Parking Enforcement and Review or Appeal of Infringement Notices;

2. NEW Policies to be ADOPTED as shown in Appendix 9.5.1B:
 - 2.1 No. 3.9.5 - Parking Control; and
 - 2.2 No. 4.1.34 - Social Media;

3. EXISTING Policies to be RESCINDED as ‘Tabled’ and shown electronically at Appendix 9.5.1C (Attachment 003):
 - 3.1 No. 3.9.4 - Reserved Parking for Individuals or Charitable/Handicapped Groups;
 - 3.2 No. 3.9.5 - Vehicles Parking on Commercial Property – Policing of;
 - 3.3 No. 3.9.6 - Parking Facilities – Pick Up and Set Down Stands;
 - 3.4 No. 3.9.7 - Parking Restrictions – Kerbside;
 - 3.5 No. 3.9.9 - Introduction of Kerbside “ACROD 2.5” Parking Bays in Residential Areas; and
 - 3.6 No. 4.1.20 - Patron Beverage Policy for nib Stadium, (upon the signing of the nib Stadium lease to the State Government);

4. EXISTING Policies to be RE-ADOPTED without amendment as ‘Tabled’ and shown electronically at Appendix 9.5.1D (Attachment 004):
 - 4.1 No. 1.2.8 - Corporate Credit Cards;
 - 4.2 No. 3.8.6 - Public Buildings – Use of Open Fires;
 - 4.3 No. 4.1.1 - Policy Manual – Adoption and Review of Policies;
 - 4.4 No. 4.1.28 - Recognition of Ratepayers/Residents – Centenary Birthday/Golden Wedding Anniversary;
 - 4.5 No. 4.1.29 - Civic Functions, Ceremonies, Receptions and Provision of Hospitality and the Use of the Council Chamber, Function Room and Committee Room;
 - 4.6 No. 4.2.1 - Legal Representation for Council Members and Employees; and

- 4.7 No. 4.2.2 - Council Meetings – Preserving Order;
5. ADVERTISES the following policies for a period of fourteen (14) days, seeking public comment:
- 5.1 No. 2.2.8 - Rights of Way; and
5.2 No. 4.1.34 - Social Media;
6. after the expiry of the period of submissions:
- 6.1 REVIEWS the policies in clause 5 above having regard to any written submissions; and
6.2 DETERMINES to proceed with, or not to proceed with, the policies in clause 3 above, with or without amendment; and
7. AUTHORISES the Chief Executive Officer to include the above policy in the City’s Policy Manual if no submissions are received from the public.

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

Cr Pintabona departed the Chamber at 9.21pm.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Topelberg

That clause 1.1 be amended to read as follows:

- “1.1 No. 1.1.6 - Community and Welfare Grants subject to the following additional change:

The Policy Guidelines “How we Assess Your Application for a Grant” clause 7 be amended to read as follows:

“7. Grants are to be assessed against the following criteria:

- ~~Adherence to policy guidelines - 30%~~
- Benefit to City of Vincent residents - ~~50%~~ 20%
- Financial viability of the project or program - 10%
- Previous grants acquitted satisfactorily - 10%
- Targets vulnerable and disadvantaged groups in the community - 10%
- A unique service that meets the needs of the community - 10%
- Demonstrated experience in delivering the service or program - 10%.” ”

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)

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

Debate ensued.

Cr Pintabona returned to the Chamber at 9.29pm.

Debate ensued.

AMENDMENT NO 2

Moved Cr Carey, Seconded Cr Harley

That clause 2.2 be amended to read as follows:

"2.2 No. 4.1.34 - Social Media Protocol;"

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

Debate ensued.

AMENDMENT NO 3

Moved Cr Maier, Seconded Cr Harley

That clause 1.7 be amended to read as follows:

"1.7 No. 3.9.2 - Parking Enforcement and Review or Appeal of Infringement Notices subject to the following additional change:

The Policy Guidelines clause 2(ii) be amended to read as follows:

"(ii)(a) Requests for review or appeal, or any subsequent communication from an appellant, will not be accepted by in writing or electronically (e.g. email or online Appeal Application). Requests for communication from an appellant will not be accepted verbally or by telephone. or verbally by an officer.

(b) Because of requirements of the Interpretation Act 1984, all correspondence from the City to an appellant will be by letter post. Requests for review or appeal will be accepted by electronic means (e.g e-mail or online Appeal Application) on the first communication only. Thereafter all correspondence, from the City to the appellant, will be by letter post."

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

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY BY AN ABSOLUTE MAJORITY (9-0)

COUNCIL DECISION ITEM 9.5.1

That the Council APPROVES BY AN ABSOLUTE MAJORITY of the following:

1. Policies to be AMENDED as shown in Appendix 9.5.1A:

- 1.1 No. 1.1.6 - Community and Welfare Grants subject to the following additional change:

The Policy Guidelines "How we Assess Your Application for a Grant" clause 7 be amended to read as follows:

"7. Grants are to be assessed against the following criteria:

- Benefit to City of Vincent residents - 50%
- Financial viability of the project or program - 10%
- Previous grants acquitted satisfactorily - 10%
- Targets vulnerable and disadvantaged groups in the community - 10%
- A unique service that meets the needs of the community - 10%
- Demonstrated experience in delivering the service or program - 10%."

- 1.2 No. 1.2.3 - Purchasing;

- 1.3 No. 1.4.1 - Beatty Park Leisure Centre – Awarding of Life Membership;

- 1.4 No. 2.2.6 - Truncations;

- 1.5 No. 2.2.8 - Rights of Way;

- 1.6 No. 3.8.8 - Rodent and Vermin Control – Assistance to Ratepayers; and

- 1.7 No. 3.9.2 - Parking Enforcement and Review or Appeal of Infringement Notices, subject to the following additional change:

The Policy Guidelines clause 2(ii) be amended to read as follows:

"(ii)(a) Requests for review or appeal, or any subsequent communication from an appellant, will be accepted in writing or electronically (e.g. email or online Appeal Application). Requests for communication from an appellant will not be accepted verbally or by telephone.

(b) Because of requirements of the Interpretation Act 1984, all correspondence from the City to an appellant will be by letter post."

2. NEW Policies to be ADOPTED as shown in Appendix 9.5.1B:

- 2.1 No. 3.9.5 - Parking Control; and

- 2.2 No. 4.1.34 - Social Media Protocol;

3. EXISTING Policies to be RESCINDED as 'Tabled' and shown electronically at Appendix 9.5.1C (Attachment 003):

- 3.1 No. 3.9.4 - Reserved Parking for Individuals or Charitable/Handicapped Groups;

- 3.2 No. 3.9.5 - Vehicles Parking on Commercial Property – Policing of;

- 3.3 No. 3.9.6 - Parking Facilities – Pick Up and Set Down Stands;

- 3.4 No. 3.9.7 - Parking Restrictions – Kerbside;

- 3.5 No. 3.9.9 - Introduction of Kerbside "ACROD 2.5" Parking Bays in Residential Areas; and

- 3.6 No. 4.1.20 - Patron Beverage Policy for nib Stadium, (upon the signing of the nib Stadium lease to the State Government);

4. **EXISTING Policies to be RE-ADOPTED without amendment as 'Tabled' and shown electronically at Appendix 9.5.1D (Attachment 004):**
 - 4.1 No. 1.2.8 - Corporate Credit Cards;
 - 4.2 No. 3.8.6 - Public Buildings – Use of Open Fires;
 - 4.3 No. 4.1.1 - Policy Manual – Adoption and Review of Policies;
 - 4.4 No. 4.1.28 - Recognition of Ratepayers/Residents – Centenary Birthday/Golden Wedding Anniversary;
 - 4.5 No. 4.1.29 - Civic Functions, Ceremonies, Receptions and Provision of Hospitality and the Use of the Council Chamber, Function Room and Committee Room;
 - 4.6 No. 4.2.1 - Legal Representation for Council Members and Employees; and
 - 4.7 No. 4.2.2 - Council Meetings – Preserving Order;
5. **ADVERTISES the following policies for a period of fourteen (14) days, seeking public comment:**
 - 5.1 No. 2.2.8 - Rights of Way; and
 - 5.2 No. 4.1.34 - Social Media Protocol;
6. **after the expiry of the period of submissions:**
 - 6.1 **REVIEWS** the policies in clause 5 above having regard to any written submissions; and
 - 6.2 **DETERMINES** to proceed with, or not to proceed with, the policies in clause 3 above, with or without amendment; and
7. **AUTHORISES** the Chief Executive Officer to include the above policy in the City's Policy Manual if no submissions are received from the public.

PURPOSE OF REPORT:

To obtain the Council's approval to amend and adopt new Council policies, which are reviewed every 5 years.

BACKGROUND:

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

The policies are amended from time to time as the need arises. It is "best practice" to review policies at a regular interval and the City undertakes this every five years. The City's Administration has provided the comments as outlined in this report.

The following policy is recommended to be **amended**:

- (i) 1.1.6 - Community and Welfare Grants

Chief Executive Officer's Comment

There is a minor change to the Policy Guidelines advising that the second round of grant applications will only be carried out if there are sufficient funds remaining after the advertising of the first round.

(ii) 1.2.3 - Purchasing

Chief Executive Officer's Comment

There are some minor grammatical changes, plus clarification of the terms "sustainability" and "sustainable procurement". The Sustainable Procurement section has been split into four parts to reflect the different sustainability considerations involved in procuring products, services, motor vehicles and buildings/refurbishments. A specific reference to manufacturing of products in "socially acceptable conditions" has been added.

(iii) 1.4.1 - Beatty Park Leisure Centre – Awarding of Life Membership

Chief Executive Officer's Comment

There is a minor change to this Policy to clarify that a person awarded Life Membership of the Centre will enjoy the same entitlements as a Full Centre Membership.

(iv) 2.2.6 - Truncations

Chief Executive Officer's Comment

There are some minor grammatical changes, plus clarification and/or simplification of the some of the terms used in the policy. A 'general minimum' truncation has been replaced with a 'standard' truncation to differentiate between the City's preferred or typical truncation and that of an absolute 'minimum' truncation.

The changes are also intended to clarify the use of traffic volumes and the classification of roads in determining the appropriate truncations.

There is also reference to the Metropolitan Region Scheme where the size of a truncation is mandated by the scheme.

(v) 2.2.8 - Rights of Way

Chief Executive Officer's Comment

At its Ordinary meeting held on 30 August 2011, the Council adopted a Notice of Motion requesting that a Policy be developed on the naming of Rights of Way (ROWs

While the City has an established an informal procedure for the naming of ROWs (which adheres to Landgate's "Geographic Names Committee's Principles, Guidelines and Procedures) there is currently no formal ROW naming Policy in place.

The City's existing Policy 2.2.8 "RIGHTS OF WAY" is a comprehensive Policy covering all aspects ROWs management including paving and draining, closure, dedication and obstruction. It is proposed that this Policy be amended to include the City's requirements for naming of ROWs.

Landgate's Geographic Names Committee ensures that an orderly process of designating names for landscape and seascape phenomena is adhered to. The guiding naming principles have been devised to ensure unambiguous and clear naming of features within Western Australia, in liaison with a national consultative committee. The Committee's requirements are re-iterated in draft Australian/New Zealand Standard 4819 "Rural and Urban Addressing".

Once approved by the Geographic Names Committee, a features name is recorded in Landgate's "GEONOMA" database. The name is published in all Landgate's mapping products, including the "Streetsmart" guide, and mapping information provided to Emergency Services organisations. The Geographic Names Committee works to eradicate confusion which may arise from repetition of names within a specified proximity, rhyming or similar sounding names, diminutives etc. This is particularly important when Emergency Services attendance is required and where time is of the essence.

The Geographic Names Committee guidelines on suitable road names recommend that the following sources be considered:

- *Aboriginal languages currently or formerly identified with the general area, Pioneers of the State or area,*
- *Citizens who have made a significant community contribution,*
- *War casualty lists and thematic names (e.g. nautical, sporting etc)*
- *Ethnic and gender diversity is encouraged.*

Alternatively, names characterised as follows are to be avoided:

- *Given/first names, Corrupted,*
- *Unduly cumbersome or difficult to pronounce names, Obscene, derogatory, racist, or discriminating names, or*
- *Company or commercialised names (unless in an historical context).*

Name duplication within local governments or adjoining local governments shall be avoided. When a duplicated name is proposed in the metropolitan region:

- *It must not be duplicated more than 5 times,*
- *Must be at least 10 km from the existing duplication, and*
- *Must have a different road type. These exclusions apply to similar sounding or written names, and a/so apply to those within similar sounding suburbs even if more than 10 km away.*
- *In rural areas the distance should be at least 50 km away.*

While the naming of 'Private Roads and ROWs' does not fall under the jurisdiction of the Geographic Names Committee provided a name complies with the Committee's requirements, it will be included in Landgate's "GEONOMA" database. This means that the naming process will provide addressing opportunities (where Australia Post deems suitable), "way finding" through inclusion in the "Streetsmart" directory, and assist Emergency Services in the event it is required.

To derive maximum benefit from the naming of ROW's, currently the City endeavours to comply with the Committees' requirements, obtaining its approval 'in principle' prior to preparing a report requesting the approval of the Council.

Although the City doesn't currently have a "program" for the naming of ROWs, it has responded to requests from residents who have applied for a ROW to be named. These applications are often to enable a postal delivery for a rear dwelling facing a ROW, or to provide directional instructions for visitors and deliveries. Names such as "Fiore Lane", "Nova Lane" and "Amore Lane" are examples of such recently named ROWs.

Many applications are from residents whose families have had an enduring link with a particular area within the City, who wish to have a ROW named in remembrance of a deceased family member. "Astone Lane", "Marocchi Lane" and "Merlo Lane" are examples of ROWs which have been named in remembrance of a loved one. In both circumstances, the applicant is required to pay for the manufacture and installations of street nameplates (approximately \$350).

Where the proponent requests that a family member's name be applied to a ROW, a brief family history is requested, to establish the link this person has with the area, and the contributions they have made to the community. These family histories are preserved by the City's Local History Librarian, and over time, as it grows, will assist in building a vivid picture of the early Vincent population and character. Naming a ROW after a loved one or significant community member is growing in popularity. It's desirable to ensure that this process remains affordable and accessible to all residents who wish to avail themselves of the opportunity, whilst not discounting other forms of naming which may be appropriate or desirable in other circumstances. All names must comply with the Geographic Names Committees stringent requirements, be approved by both the Committee and the Council.

There is no requirement for consultation when naming a ROW, and perhaps consultation may introduce the need for value judgements being made over competing naming proposals. The current, informal process is working well -with the Council giving the final approval prior to a name being applied. The Current practice has worked very well and has been positively received by the community.

It is considered that the current practice successful 'ROW Naming' practice be formalised and included in the amended ROW Policy No. 2.2.8.

Whilst researching the matter, the existing ROW Policy was also reviewed. This revealed that the Policy mainly contains "Guidelines and Policy Procedures". Accordingly, the Policy is recommended to be amended as shown in Appendix 9.5.1 (electronic attachment 001).

- (vi) 3.8.8 - Rodent and Vermin Control – Assistance to Ratepayers

Chief Executive Officer's Comment

There are some minor grammatical changes within the Policy. The Policy has also been modified to adopt a more delicate approach as in certain cases the severity of rodent infestation and the respective threat to human health cannot be confirmed.

The following policies are recommended to be **rescinded**:

- (i) 3.9.4 - Reserved Parking for Individuals or Charitable/Handicapped Groups;
3.9.5 - Vehicles Parking on Commercial Property – Policing of;
3.9.6 - Parking Facilities – Pick Up and Set Down Stands;
3.9.7 - Parking Restrictions – Kerbside; and
3.9.9 - Introduction of Kerbside "ACROD 2.5" Parking Bays in Residential Areas

Chief Executive Officer's Comment

These various policies relating to parking are to be incorporated into one (1) Policy. This will streamline the Policy Manual and will consolidate the various parking matters into the one policy.

- (ii) 4.1.20 - Patron Beverage Policy for nib Stadium

Chief Executive Officer's Comment

The City is almost at the stage of signing the new Lease of the Stadium to the State Government. Once the Lease is signed, the Policy will no longer be relevant or applicable and therefore should be rescinded.

The following policies are recommended as **new** policies:

- (i) 3.9.5 - Parking Control

Chief Executive Officer's Comment

This new Policy is an amalgamation of 5 existing separate Policies all relating to various aspects of Parking Control. It is beneficial and appropriate to combine the separate Policies into one in order to ensure the information is contained within the one Policy. No significant change has been made to the content of the Policy.

- (ii) 4.1.34 - Social Media

Chief Executive Officer's Comment

It is acknowledged that social media is now being used by many organisations. The City currently uses a Twitter Account for the Beatty Park Leisure Centre Redevelopment. Cr Carey has submitted a Notice of Motion relating to a Social Media Plan and Policy accordingly it appropriate that the City adopt a Policy.

CONSULTATION/ADVERTISING:

The Council has a policy of advertising for a period of fourteen (14) days seeking comments from the public.

LEGAL/POLICY:

Policies are not legally enforceable, however they provide guidance to the City's Administration and Council Members when considering various matters.

RISK MANAGEMENT IMPLICATIONS:

Low: The failure to review Council Policies will not result in any breach of legislation. However, the adoption of policies will improve information to the Council, City's Administration and the community.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Strategic Plan 2011 – 2016 – Key Result Area "4: Leadership, Governance and Management: 4.1.2 – Manage the Organisation in a responsible, efficient and accountable manner".

SUSTAINABILITY IMPLICATIONS:

The adoption of the policies relating to Parks and Reserves will ensure that these will be managed in a more sustainable manner in the future.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The City's Policies are reviewed every five years. The amended and new policies will provide guidance to the Council and the City's Administration in these important matters.

9.5.4 Office of the Mayor – Approval for Employment of a Personal Assistant (Part-Time)

Ward:	-	Date:	17 February 2011
Precinct:	-	File Ref:	ADM0104
Attachments:	001 – Amended Page 2 of Policy No. 4.2.7 002 – Plan of Mayor's Office		
Tabled Items:	-		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY to:

1. AMEND its Policy No. 4.2.7 – “Council Member - Allowances, Fees and Reimbursement of Expenses” as follows:

“2. OFFICE OF THE MAYOR

2.1 Mayor's Office

The City is to provide to the Mayor, at the City's cost, the following within the City's Administration and Civic Centre:

...(b) the use of a City employee as a Personal Assistant ~~(shared with the Chief Executive Officer)~~ on a permanent and part-time basis for 3 days per week, to the extent considered appropriate by the Council;...”

2. REALLOCATE an amount of \$16,500 to employ a Personal Assistant (part-time for 3 days per week) and office setup costs, for the Office of the Mayor for the remainder of the 2011/2012 financial year, from a funding source to be determined by the Chief Executive Officer.

COUNCIL DECISION ITEM 9.5.4

Moved Cr Harley, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Harley, Seconded Cr Carey

That the Motion be now put.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

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

PURPOSE OF REPORT:

To amend the Council's Policy No. 4.2.7 – "Council Member - Allowances, Fees and Re-imbursment of Expenses" relating to the Office of Mayor to provide for a Personal Assistant on a permanent and part-time basis 3 days per week.

BACKGROUND:

PRESENT POSITION

Since the creation of the Town (now City of Vincent) on 1 July 1994, a Personal Assistant has been providing secretarial and administrative support to both the Chief Executive Officer and the Office of Mayor. This arrangement has worked satisfactorily – however, on many occasions has been very busy.

Secretarial and Administrative Support

The following secretarial and administrative support is currently provided:

1. Appointment Diary
2. Correspondence
3. Administrative Support and Filing
4. Emails
5. Speech Notes
6. Newsletters
7. Request for Advice/Information
8. Council Agenda
9. Research

Chief Executive Officer's Comment:

As the Council is aware, the period following the local government election of the Mayor is usually very busy and hectic. Experience has shown that this does abate over a period of time to a reasonable level. However, the Office of the Mayor is extremely busy and appears this will continue. The Mayor has indicated that a part-time employee would be of sufficient assistant to her.

The Chief Executive Officer is of the view that the additional support should be provided to the Office of the Mayor.

OTHER LOCAL GOVERNMENTS

Research has been carried out for comparison which has revealed that a separate full-time Personal Assistant/Secretary for the Office of Mayor is provided as follows:

1. Large Local Governments

Armadale, Perth, Joondalup, Wanneroo, Stirling, South Perth, Canning, Gosnells, Swan and Cockburn (*part-time*).

2. Medium/Small Size Local Governments

South Perth – Full time employee, however, also assists in the City's Administration as required and during periods when not required to support the Mayor.

Other medium or small sized local governments have a similar situation to the City of Vincent whereby a Personal Assistant supports both the Chief Executive Officer and the Mayor.

LOCAL GOVERNMENT COMPARISON

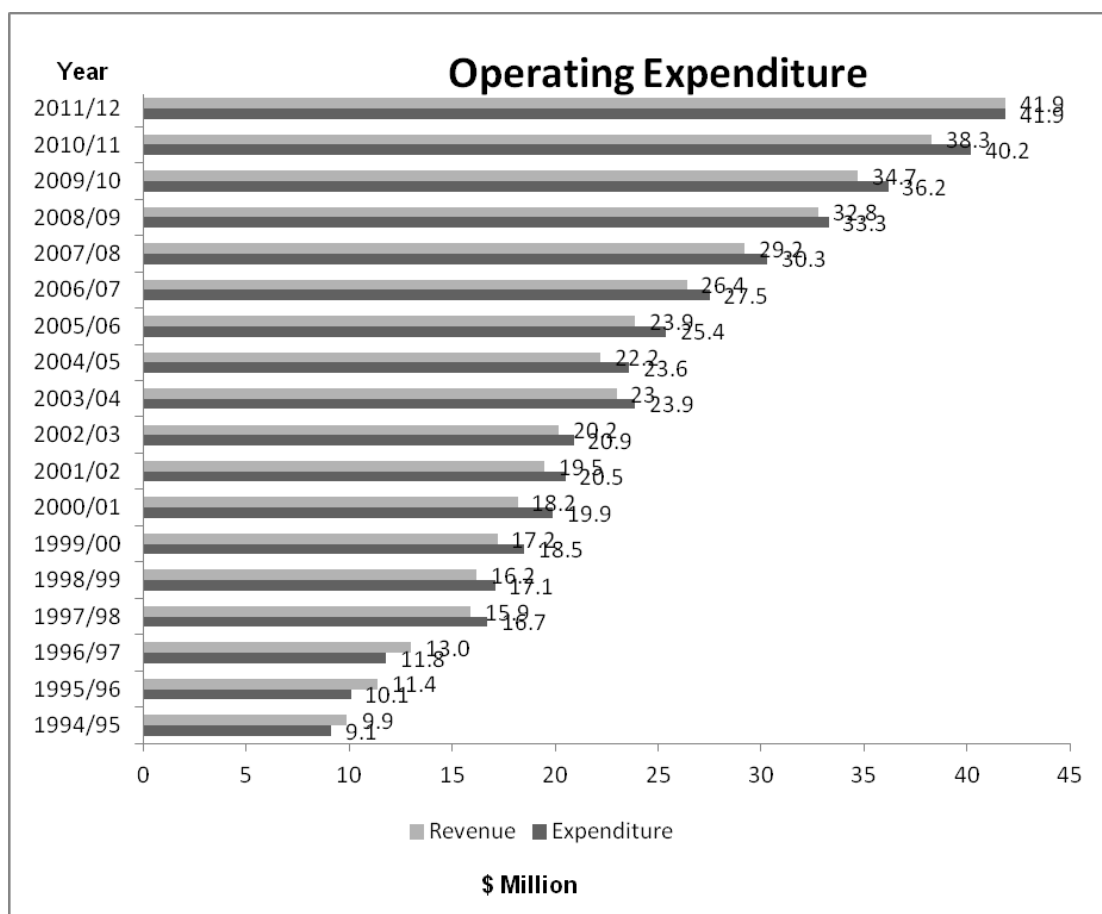
Item	Vincent	South Perth
Area	11.3	20 (sq km)
Population	31,500	43,000
Number of Electors	19,462	25,421
Number of Dwellings	16,432	22,482
Total Rates Levied	\$19,752,151	\$22,054,984
Total Revenue	\$36,031,802	\$45,137,073
Number of Employees	186	223

The above table shows comparison between the City and the City of South Perth, which indicates that both are relatively similar. The Mayor has indicated that a part-time Personal Assistant would be acceptable. The hours to be worked will be flexible to maximise the benefit and support to the Mayor. The Chief Executive Officer's Personal Assistant will continue to provide support and act as a back-up Personal Assistant, as required.

CITY OF VINCENT OPERATING REVIEW AND EXPENDITURE 1994-2012

The City's Annual Budget 2011/2012 contains various information detailing the financial, capital works and rating details. The table below shows the operating revenue and expenditure for an 18 year period and demonstrates that in 1994/1995 the operating budget (\$9.5 million) has increased to \$41.9 million in 2011/2012.

As a result of the significant increased activity, interaction with the community and business proprietors has also significantly increased. The Office of the Mayor has also experienced a significant increase in workload and activity. Accordingly, secretarial and administrative support to the Office of the Mayor is justified and supported.



SEPARATE SECRETARY/PERSONAL ASSISTANT

If a separate Secretary/Personal Assistant is to be provided for the Office of Mayor, the following should be noted:

1. Employee Costs

Item	Full-time	3 Days Per Week
Salary and on-costs (Level 6)	\$68,410 - \$71,699	\$41,046 - \$43,019
Relief Staff (4 weeks)	\$5,262 - \$5,515	\$0
TOTAL	\$73,672 - \$77,214	\$41,046 - \$43,019

2. Work Station/Setup Costs

Item	Cost
Workstation and Furniture	\$3,500
Computer	\$2,000
Phone	\$450
Cabling and Electrical	\$2,500
TOTAL	\$8,450

3. Location

A possible location for an employee could be provided in the area outside the Mayor's Office, as shown in the attached Plan. (*Refer to Appendix A.*)

4. Possible Employment

Any employment of a Secretary/Personal Assistant for the Office of Mayor should be on a fixed term contract for the term of the incumbent Mayor (i.e. terminate in October 2016). This will allow flexibility if the Mayor changes after the local government elections.

CONSULTATION/ADVERTISING:

Is recommended that the amendment to this Policy not be advertised as it is a minor change and does not affect the community. Recruitment advertising will be carried out in accordance with the City's Recruitment Policy.

LEGAL/POLICY:

Local Government Act 1995 –

- Chief Executive Officer responsible for employees
Section 5.41(e) – the Chief Executive Officer's functions include – be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees).

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Strategic Plan 2011 – 2016 Objective 4.1.2 "*Manage the organisation in a responsible, efficient and accountable manner*".

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

There are no funds in the 2011/12 Budget for a new Personal Assistant and associated costs, as the matter arose after the 2011 Elections.

If approved by the Council, recruitment would take approximately 6-8 weeks and the new employee would commence in late April/early May.

Accordingly the employee costs for 2011/2012 financial year would be \$6,850 - \$7,170 and setup costs of approximately \$8,450.

COMMENTS:

The City of Vincent is an extremely busy local government which has a heavy workload for both the Council and the City's Administration. The current Mayor is very high profile and has an extremely heavy workload and extremely busy schedule. The Chief Executive Officer considers that additional support to the Mayor is justified and accordingly approval of the Officer Recommendation is requested.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Notice of Motion – Cr John Carey – Request for a Social Media Plan and Establishment of a Facebook Page and Twitter Account

That the Council REQUESTS the Chief Executive Officer to prepare a Social Media Plan and Policy for the City of Vincent, which includes promptly establishing a Facebook page and a Twitter account, as well as any other platforms as necessary.

Moved Cr Carey, Seconded Cr Topelberg

That the Motion, together with the following changes, be adopted:

“That the Motion (including the heading) be amended to delete the word “and Policy”:

That the Council REQUESTS the Chief Executive Officer to prepare a Social Media Plan ~~and Policy~~ for the City of Vincent, which includes promptly establishing a Facebook page and a Twitter account, as well as any other platforms as necessary.”

Debate ensued

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 10.1

That the Council REQUESTS the Chief Executive Officer to prepare a Social Media Plan for the City of Vincent, which includes promptly establishing a Facebook page and a Twitter account, as well as any other platforms as necessary.

10.2 Notice of Motion – Cr John Carey – Request to Investigate the Establishment of a New Parking Enforcement Team for the City of Vincent

That the Council REQUESTS;

1. the Chief Executive Officer to investigate the establishment of a new Parking Enforcement Team, which will create dedicated only Parking Enforcement Officers within the City of Vincent. This investigation will include but not limited to:
 - 1.1 cost and resourcing of a new Parking Enforcement Team;
 - 1.2 capacity and staffing required to undertake strong infringement enforcement of the City of Vincent and regular blitz campaigns on individual streets and precincts in the City of Vincent;
 - 1.3 timeframe required to establish new enforcement team; and
 - 1.4 any other relevant matters; and
2. that a report be submitted to the Council by no later than 27 March 2012 to enable the report to be considered as part of budget deliberations for 2012/2013.

COUNCIL DECISION ITEM 10.2

Moved Cr Carey, Seconded Cr Maier

That the motion be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

10.3 Notice of Motion – Cr John Carey – Request to Investigate the Activation of Non Leased Premises within Beaufort Street Precinct

That the Council REQUESTS:

1. the Chief Executive Officer to investigate the activation of non leased premises within Beaufort Street precinct via the establishment of a temporary “Pop Up Shops” scheme. This investigation will include, but not be limited to:
 - 1.1 liaison with the City of Fremantle and Metropolitan Redevelopment Authority regarding the successful adoption of temporary “Pop Up Shops” of non leased premises and opportunity to trial such scheme in Beaufort Street;
 - 1.2 identification of current non leased premises on Beaufort Street and liaison with current owner/s or representing agents regarding potential interest in “Pop Up Shops” scheme;
 - 1.3 potential financial implications, resourcing, liability and risk management considerations for the establishment of “Pop Up Shops” scheme;
 - 1.4 earliest timeframe required to establish “Pop Up Shops” within non leased premises; and
 - 1.5 any other relevant matters; and
2. that a report be submitted to the Council by no later than 27 March 2012.

Moved Cr Carey, Seconded Cr Topelberg

That the Motion, be adopted.

Debate ensued.

Cr Wilcox requested that “Beaufort Street” be deleted from clause 1, 1.1 and 1.2 and “the City of Vincent” be inserted.

The Mover, Cr Carey and the Seconder, Cr Topelberg agreed.

Cr Carey changed the date to May 2012.

MOTION (as changed) PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 10.3

That the Council REQUESTS:

1. the Chief Executive Officer to investigate the activation of non leased premises within the City of Vincent precinct via the establishment of a temporary “Pop Up Shops” scheme. This investigation will include, but not be limited to:
 - 1.1 liaison with the City of Fremantle and Metropolitan Redevelopment Authority regarding the successful adoption of temporary “Pop Up Shops” of non leased premises and opportunity to trial such scheme in the City of Vincent;
 - 1.2 identification of current non leased premises the City of Vincent and liaison with current owner/s or representing agents regarding potential interest in “Pop Up Shops” scheme;
 - 1.3 potential financial implications, resourcing, liability and risk management considerations for the establishment of “Pop Up Shops” scheme;
 - 1.4 earliest timeframe required to establish “Pop Up Shops” within non leased premises; and
 - 1.5 any other relevant matters; and
2. that a report be submitted to the Council by no later than May 2012.

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

Cr Carey departed the Chamber at 10.00pm.

PROCEDURAL MOTION

At 10.00pm Moved Cr Wilcox, Seconded Cr Pintabona

That Council proceed “behind closed doors” to consider confidential item 14.1, as the matter is the subject of an appeal to the State Administrative Tribunal.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

There were no members of the public present. There were two (2) journalists present (Lauren Peden and David Bell), who departed the Chamber at 10.00pm.

The Chief Executive Officer advised that it was 10.00pm and in accordance with the Council Meeting Policy, the Council should resolve to extend the meeting, if it wished to continue.

The Presiding Member, Mayor Hon. Alannah MacTiernan requested that a procedural motion be moved to extend the meeting time, as the Council’s Policy relating to Council Meetings requires meetings to cease by 10.00pm.

PROCEDURAL MOTION

Moved Cr Pintabona, Seconded Cr Maier

That the meeting be extended to allow for the consideration of the Confidential Item 14.1.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (8-0)

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

Cr Carey returned to the Chamber at 10.01pm.

14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)

14.1 CONFIDENTIAL REPORT: No. 298 (Lot 888) Lord Street, corner Windsor Street, Highgate – Proposed Construction of a Six Storey Mixed-Use Development Comprising Thirty-Two (32) Single Bedroom Multiple Dwellings, Thirty-Six (36) Multiple Dwellings, One (1) Shop (Deli), Five (5) Offices and Associated Basement Car Parking - State Administrative Tribunal (SAT) DR 351 of 2011

Ward:	South	Date:	17 February 2012
Precinct:	Banks; P15	File Ref:	PRO3571; 5.2011.225.1
Attachments:	001 - Property Information Report and Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	A Malone, Senior Planner (Planning Solutions)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

This report has been prepared by Planning Solutions – Urban and Regional Planning – Consultants for the Council, in respect to reconsideration of this matter currently at the State Administrative Tribunal.

CONSULTANT RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Greg Rowe and Associates on behalf of the owner, JNI Developments Pty Ltd, Avalon Holdings (WA) Pty Ltd, Land Surveys Pty Ltd and 300 Lord Street Pty Ltd for Construction of a Six Storey Mixed-Use Development Comprising Thirty-two (32) Single Bedroom Multiple Dwellings, Thirty-Six (36) Multiple Dwellings, One (1) Shop (Deli), Five (5) Offices and Associated Basement Car Parking – State Administrative Tribunal (SAT) DR 351 of 2011 at No. 298 (Lot 888) Lord Street, corner Windsor Street, Highgate, and as shown on amended plans dated 14 February 2012, subject to the following conditions:

1. Building

- 1.1 All new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Lord Street and Windsor Street;
- 1.2 First obtaining the consent of the owners of No. 308 Lord Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 308 Lord Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;
- 1.3 Doors, windows and adjacent floor areas facing Lord Street and Windsor Street shall maintain active and interactive relationships with these streets; and
- 1.4 The maximum gross floor area of the shop and offices shall be limited to 106 square metres and 296 square metres, respectively. Any increase in floor space or change of use of the offices and shop shall require Planning Approval to be applied to and obtained from the City. Any change of use shall be assessed in accordance with the relevant Planning Policy including the City’s Policy No. 3.7.1 relating to Parking and Access;

2. Car Parking and Accessways

- 2.1 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;
- 2.2 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 City;
- 2.3 The car parking area shown for the non-residential component and the visitors bays for the residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;
- 2.4 The car park shall be used only by residents, employees, tenants, and visitors directly associated with the development;
- 2.5 Six (6) car parking bays shall be allocated for the shops and offices;
- 2.6 Car parking aisles shall comply with the minimum width in accordance with the requirements of AS2890.1; and
- 2.7 No piers are to be positioned in the car parking bay exclusion zones and piers to be so designed so as to adhere to the requirements of AS2890.1;

3. Public Art

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

- 3.1 within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$120,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$12,000,000); and
- 3.2 in conjunction with the above chosen option;
 - 3.2.1 Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;
OR
 - 3.2.2 Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;

4. **Signage**

All signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;

5. **WITHIN TWENTY EIGHT (28) DAYS OF THE 'APPROVAL TO COMMENCE DEVELOPMENT', the following shall be submitted to and approved by the City:**

5.1 The end-of -trip facilities shall comply with the definition as specified in the City's Policy No. 3.7.1 relating to Parking and Access; and

5.2 The laundries, as proposed in apartment types B2, A1, C2, A4, C5, A7 and C7 do not comply with current the Health regulations. (A laundry is to be located in a separate room and is not to be located in a room in which food is prepared, stored, served or consumed.) Plans are to be amended to the satisfaction of the City's Health Services;

6. **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:**

6.1 **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for Approval Proforma;

6.2 **Visual Truncation**

Revised plans to be submitted detailing:

6.2.1 No building, wall, fence or landscaping greater than 0.75 metre in height, measured from the natural ground level at the access/egress ramps, shall be constructed within 1.5 metres of a vehicular access way, unless such wall or fence is constructed with a 1.5 metre truncation to ensure safe access for right of way users; and

6.2.2 A 3 metre by 3 metre truncation to be provided to the south eastern corner of the development located at the access and egress point from Windsor Street to the right of way;

6.3 **Energy Efficiency**

The proposed solely commercial development and residential/commercial mixed use development shall be registered with the Green Building Council of Australia for Green Star certification of the design and building phases of the project; and the developer shall work with the Green Building Council of Australia throughout the design and build process with a view to achieving 5 Star Green Star certification for the completed buildings under the Green Building Council of Australia rating system;

6.4 Landscape and Reticulation Plan

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

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

- 6.4.1 the location and type of existing and proposed trees and plants;
- 6.4.2 all vegetation including lawns;
- 6.4.3 areas to be irrigated or reticulated;
- 6.4.4 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 6.4.5 separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

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

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

6.5 Schedule of External Finishes

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

6.6 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the City for approval. This report shall include the recommended measures of the Acoustic Report that are to be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development. The applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;

6.7 Refuse and Recycling Management Plan

Bin numbers, collection and stores shall meet with the City's minimum service provision to the satisfaction of the City's Technical Services. A waste management plan, prepared by a qualified consultant, is to be prepared and approved by the City's Technical Services Section;

6.8 Fencing

- 6.8.1 Any new street/front wall, fence and gate within the Lord Street and Windsor Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences; and
- 6.8.2 The fences to be constructed along the Lord and Windsor Streets frontages to be visually permeable with the fences having continuous vertical gaps of at least 50mm width occupying not more than 50% of the front fencing along Lord Street and Windsor Street;

6.9 Road Widening

The landowner shall enter into a Deed of Agreement with the Western Australian Planning Commission (WAPC) not to seek from either the City of Vincent or the WAPC compensation for any loss, damage or expense to remove the approved works (awning and landscaping) which encroach the Other Regional Road reserve/road widening requirement when the road reserve/road widening is required. This Agreement shall be registered as a Caveat on the Certificate of Title;

6.10 Windsor Street/Right of Way Crossover

The crossover from Windsor Street and the right of way is to be at 90 degrees from the kerb line;

6.11 Privacy

Revised plans shall be submitted to and approved by the City demonstrating the communal deck on the northern and eastern elevations being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the issue of a Building Licence, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the City receives written consent from the owners of No. 36 Windsor Street, stating no objection to the respective proposed privacy encroachment;

6.12 Footpath Upgrade

In keeping with the City'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 City's specification. The upgrade bond shall also be applied to construction of embayed parking to the City's design. A refundable footpath upgrading bond of \$86,000 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 City's Technical Services. An application to the City for the refund of the upgrading bond when works are completed must be made in writing;

6.13 Access Ramps

Revised plans shall be submitted demonstrating the access ramps to the parking levels being modified with kerbing guides to prevent a left turn into the right of way. All vehicles egressing the development are to make the left turn to the Windsor Street access point of the right-of-way;

6.13.1 ramp grades shall adhere to AS2890.1; and

6.13.2 headroom of bays under access ramps to parking levels to be a minimum of 2.2 metres in height in accordance with the requirements of AS 2890.1;

6.14 Manoeuvring Space

Six (6) metres manoeuvring room shall be provided for vehicle access from the right of way into the parking area access points;

6.15 Intersection Modification

The intersection of Windsor Street and Lord Street shall be modified to satisfactorily address access and safety issues, at the full cost of the developer/applicant. A bond of \$25,000 shall be paid prior to the issue of a Building Licence. Actual cost of the modifications will be determined when required design has been costed, to the satisfaction of the City's Technical Services;

6.16 Section 70 A Notification under the Transfer of Land Act

The owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

6.16.1 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

6.16.2 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units or commercial tenancies.

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

7. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:

7.1 Residential Car Bays

Sixty-eight (68) car bays and four (4) car bays shall be provided for the residents and visitors respectively. An additional fifteen (15) motorcycle bays shall also be provided for use by residents and visitors to the development. The car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

7.2 Bicycle Parking

Twenty-three (23) bicycle bays for the residents and seven (7) bicycle bays for the visitors of the residential component, plus two (2) class one or two and one (1) class 3 for the shop and office components, shall be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3;

7.3 Right of Way

7.3.1 The right-of-way being widened to 6 metres in width along the full width and length of the eastern boundary of Lot 888;

7.3.2 The owner(s) or the applicant on behalf of the owner(s) shall enter into a legal agreement with the City to cede 1.48 metres of land as noted on plan SD02.03 to the City for the entire length of the eastern boundary for the purposes of widening the right of way to 6 metres. All costs are to be paid by the applicant to the specifications of the City's Solicitors and Chief Executive Officer; and

7.3.3 The right-of-way adjoining Lot 888 to be widened by 1.48 metres, such widening being shown on the Deposited Plan as a Right-of-Way, and vested in the Crown under section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any compensation by the Crown or the City;

7.4 **Management Plan-Vehicular Entry Gates**

Any proposed vehicular entry gates to the car parking area shall have a minimum 50 per cent visual permeability and shall be either open at all times or a plan detailing management measures for the operation of the vehicular entry gates, to ensure access is readily available for residents/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City;

7.5 **Strata Management Plan**

The Applicant shall submit a strata management plan which encourages residents to use Windsor Street as the primary access/egress point;

7.6 **Clothes Drying Facility**

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

7.7 **Car Parking Bays**

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved building licence plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City. The bays allocated to the residential and commercial components shall be clearly marked to the satisfaction of the City.

COUNCIL DECISION ITEM 14.1

Moved Cr Pintabona, **Seconded** Cr Topelberg

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

Note: The Chief Executive Officer advised that this report is now released for public information, as the Council has determined the matter.

Landowner:	JNI Developments Pty Ltd, Avalon Holdings (WA) Pty Ltd, Land Surveys Ltd and 300 Lord Street Pty Ltd
Applicant:	Greg Rowe and Associates
Zoning:	Metropolitan Region Scheme: Urban and 'Other Regional Roads Reservation' Town Planning Scheme No. 1 (TPS 1): Commercial and 'Other Regional Roads Reservation'
Existing Land Use:	Vacant land
Use Class:	Shop, Office Building and Multiple Dwellings
Use Classification:	"P", "P" and "AA"
Lot Area:	2576 square metres (Approximately 40 square metres is required for the laneway widening)
Right of Way:	East side, 4.52 metres wide adjacent to the property, sealed, City owned

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination, as the matter is a Section 31 invitation by the SAT to reconsider Council's previous decision.

BACKGROUND:

- 5 December 2006 The Council at its Ordinary Meeting considered and approved a proposed mixed-use development comprising offices and fourteen grouped dwellings at Nos. 296-306 Lord Street, Highgate.
- 16 June 2008 The Western Australian Planning Commission conditionally approved the amalgamation of No. 288 (Lot 123; D/P: 4540) and Nos. 296-306 (Lots 1-4; D/P: 1197) Lord Street, corner Windsor Street, Highgate.
- 24 March 2009 The Council at its Ordinary Meeting considered and approved the proposed demolition of existing corner shop and attached Single House at No. 288 Lord Street, Highgate.
- 14 April 2009 The Council at its Ordinary Meeting conditionally approved the construction of a five storey commercial development comprising offices, eating house and basement car parking.
- 27 September 2011 The Council at its Ordinary Meeting refused the construction of a six storey mixed use development comprising thirty-five single bedroom multiple dwellings, thirty-eight multiple dwellings, one shop (deli), five offices and associated basement car parking.

DETAILS:

The Council at its Ordinary Meeting held on 27 September 2011, considered and refused an application for a six (6) storey mixed-use commercial development. An application for review was lodged by the applicant Greg Rowe and Associates with the State Administrative Tribunal. A s31(1) notice by the State Administrative Tribunal requests Council to reconsider its decision, pursuant to modified plans being submitted.

The City has represented at the State Administrative Tribunal by:

- Mayor Hon. Alannah MacTiernan;
- Councillors McGrath and Pintabona;
- Chief Executive Officer, John Giorgi; and
- Planning Consultant Ben Doyle – Planning Solutions.

Several mediation sessions were held.

Amended plans were submitted to the City on 14 January 2012. The proposed modifications are described by the applicant as follows:

- Significant reduction in built form from the site's south-eastern corner (corner of right of way (ROW) and Windsor Street). That is to say, the original application presented as three separate buildings with a communal internal courtyard. The current proposal has amended this built form to push the major focus of the development towards Lord Street, and re-design the outdoor communal space to the sites eastern boundary (abutting the ROW);
- Increase built form setback to the ROW and increase the width of the ROW from 3.62m to 6m;
- Ceding a total of 1.48m of land to the City for the purposes of the ROW widening;
- Reduction in the dwelling numbers of the development from 73 to 68;
- Facade design changes to reduce the perceived 'bulkiness' of the built form;
- Provision of a significant outdoor communal area, with significant planting to assist in the reduction of impact on the adjoining property;
- Modifications to the basement car parking levels to assist in finished levels at ground level on the Windsor Street frontage. This enabled the 'walk up' apartments to maintain an acceptable level change (approx 100-300mm);
- Access amendments along the ROW to enable the ramp to the lower basement to meet all BCA requirements, whilst enabling an appropriate number of car parking spaces for the development;
- Significant reduction in the overshadowing of the adjoining and adjacent residential properties; and
- Significant reduction in the potential overlooking of the residential (currently used for commercial purposes) land to the east of the subject site.

The current application is for the construction of a six storey mixed use development comprising thirty two (32) single bedroom multiple dwellings, thirty-six (36) multiple dwellings, one shop (deli), five offices and associated car parking.

Modified plans were submitted to the City on 14 February 2012. The schedule of changes to the plans dated 20 January 2012 is described by the applicant as follows:

- Addition of minor structural pillars to both the Windsor and Lord Street frontages;
- Minor amendments to the window treatments; and
- Removal of two private outdoor areas (top 2 levels of the development) which were surplus to the R-Code requirements.

The applicant's submission and previous community concerns have been addressed in the previous agenda report presented to the Council at its Ordinary Meeting held on 27 September 2011.

The development complies with the Residential Design Codes, Town Planning Scheme No. 1, and the City Policies, other than the following areas of non compliance, and as detailed in this report.

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Plot Ratio:	0.7=1803 square metres	2.45= 5296 square metres
Officer Comments:		
Supported. Refer to "Comments" below. The site is zoned commercial. While the proposed development exceeds the plot ratio, it is considered that the corner location and lot area provides a unique opportunity to development this strategic lot. The bulk, scale and height of the development have been addressed through the revised articulated design and use of materials.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Street Setbacks:	Setback to be generally consistent with building setback on adjacent land.	<p><u>Lord Street</u></p> <p>Ground to Fifth Floors= 5 metres to 5.6 metres.</p> <p><u>Windsor Street</u></p> <p>Ground Floor= 1.2 to 2 metres.</p> <p>First Floor to Fifth Floor=1.5 to 2 metres.</p>
Officer Comments:		
<p>Supported. Policy No. 3.4.3 Non-Residential/Residential Development Interface states: <i>“Nil setbacks will generally be supported where it is demonstrated that it will not result in any undue impact on the streetscape pattern or on the amenity of adjoining properties.”</i></p> <p>The street setbacks are considered consistent with other development along Lord Street and Windsor Street more generally. The Council at its Ordinary Meeting held on 14 April 2009, approved a similar development on this lot, with a setback of 5 metres along Lord Street and a nil to 1.7 metres setback along Windsor Street. The setback from the primary street along Lord Street is considered appropriate, as it accommodates the Metropolitan Region Scheme road widening, which will result in a nil setback to Lord Street. The applicant has proposed to plant additional street trees within the primary and secondary street verges along Lord and Windsor Streets, thereby reducing potential impacts and enhancing the streetscape. In this instance, the variations to the street setbacks are supported.</p>		
Building Setbacks:	<p><u>East Side - Laneway</u></p> <p><i>Ground Floors</i> 6 metres (Interface Policy)</p> <p><i>First Floor</i> 7.3 metres</p> <p><i>Second Floor</i> 9.3 metres</p> <p><i>Third Floor</i> 11.3 metres</p> <p><i>Fourth Floor</i> 13.3 metres</p> <p><u>North Elevation</u> 4 metres (Table 5 of the R-Codes)</p>	<p>3.3 metre to 3.8 metres.</p> <p>2.3 metres to 3.3 metre.</p> <p>6.8 metres to 22 metres.</p> <p>6.8 metres to 22 metres.</p> <p>8.4 metres to 22 metres.</p> <p>Nil setback to 33 metres.</p>
Officer Comments:		
<p>Supported. There is an existing right of way along the eastern boundary. Therefore, the building will be generally setback a minimum of 6 metres from the rear boundary to the adjoining residential property to the east. The ROW is required to be widened to facilitate access and egress to the ROW. As a condition of approval, the owner is required to cede 2.38 metres width of land to the City. The nil setbacks to the northern boundary can be supported, as the development has been designed to minimise the potential impacts between the properties. It is considered to comply with the performance criteria of the R-Codes, hence, the applicant is seeking Council discretion for building setbacks from the boundary.</p>		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Number of Storeys:	Three storeys, as per the Banks Precinct Policy No. 3.1.15.	Six storeys and associated basement car parking.
Officer Comments:		
Supported. Refer to "Comments". The Council previously approved a commercial development on the subject site with a maximum height of 5 storeys. As the previously approved development was commercial, the overall height was comparable to the height of the proposed 6 storey mixed use building. It is considered there has not been a material change in the statutory planning framework since the previous approval was issued, and the proposed height is therefore supported. In addition, at the Ordinary Meeting held on 23 August 2011, Council conditionally approved a six and seven storey mixed use development at the corner of Lord Street, Summers Street and Coolgardie Terrace and another development on Stirling Street, at the corner of Parry Street, at 5 storeys (Item 9.1.4 and Item 9.1.5). These developments are similar in height and scale. The proximity to the city centre, local centre and public transport, as well as the location of the lot, provides a strategic development site. Accordingly, the applicant has designed the development to address the opportunities of this lot.		
Privacy:	Balcony= 7.5 metres setback from boundary.	Balconies to Units 111, 210, 310, 410 and 509 on the eastern elevations. Communal outdoor area (deck) on the eastern elevation.
Officer Comments:		
There is an existing right of way along the eastern boundary. The balconies of Units 111, 210, 310, 410 and 509 overlook the adjoining commercial zoned property to the north, however these are considered to comply with the performance provisions of the R-Codes, as the overlooking does not affect any habitable areas. It is considered overlooking from the communal outdoor area has the potential to impact on future development on the property on the opposite side of the laneway (to the east), notwithstanding the current use is non-residential. Accordingly, condition 6.11 has been included to minimise the impact to potential future residential land uses from the communal deck area.		

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

Other Implications	
Legal/Policy	TPS 1 and associated Policies.
Strategic	The City's <i>Strategic Plan 2011-2021</i> - Objective 1 states: <i>"Natural and Built Environment</i> 1.1 <i>Improve and maintain the natural and built environment and infrastructure</i> 1.1.2 <i>Enhance and maintain the character and heritage of the City."</i>
Sustainability	Nil.
Financial/Budget	Cost of further SAT proceeding and associated costs.

Parking

A total of 78 car bays are provided, of which 6 car bays are allocated for the commercial component.

Commercial Car Parking	
Car parking requirement (nearest whole number). • Shop (1 car bay per 15 square metres gross shop floor area) Proposed 106 square metres = 7.07 car bays • Office (1 car bay per 50 square metres gross office floor area)- Proposed 296 square metres = 5.92 car bays Total car bays required = 12.99 car bays = 13 car bays	13 car bays

Commercial Car Parking	
Apply the parking adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.80 (within 400 metres of a train station) • 0.90 (development provides end-of-trip facilities) • 0.80 (development is mixed use) 	(0.4896)
	6.365 car bays
Minus the car parking provided on-site	6 car bays
Minus the most recently approved on-site car parking shortfall	N/A
Shortfall	0.365 car bays

The residential car parking required is calculated as per the R-Codes 2010.

Residential Car Parking	
Small Multiple Dwelling (<75 square metres)- 0.75 bay per dwelling (32 dwellings proposed)= 24 car bays = 24 car bays Medium Multiple Dwelling (75-110 square metres) -1 bay per dwelling (34 dwellings proposed) = 34 car bays Large (>110sqm) – 1.25 bay per dwelling (2 dwellings proposed) = 2.5 car bays Visitors= 0.25 per dwelling (68 dwellings proposed) = 17 car bays Total= 77.5 car bays = 78 car bays	78 car bays
Total car bays provided (68 car bays for residents and 4 car bays for visitors)	72 car bays
Shortfall	6 car bays

In total, the R-Codes Acceptable Development criteria deem to comply with the provision of 78 car bays for the residential component. Overall, the number of car parking bays provided for the development is 72 car bays, comprising 68 resident bays and 4 visitor bays. The residential element of the development will also provide alternative forms of parking bays with fifteen motorcycle bays, in addition to forty (40) bicycle spaces being provided for the development.

Bicycle Parking	
<u>Bicycle Facilities Commercial:</u>	
Office – 1 bicycle space per 200 square metres (proposed 296 square metres): 1.48 bicycle bays required – 2 Class 1 or 2 bicycle bays	
Shop (employee) – 1 space per 300 square metres (proposed 106 square metres): 0.35 bicycle bays required – Nil Class 1 or 2 bicycle bays	
Shop (visitor) – 1 space per 200 square metres (proposed 106 square metres): 0.53 bicycle bays required – 1 Class 3 bicycle bay	
<u>Bicycle Facilities Residential:</u>	
Residents – 1 bicycle space to each 3 dwellings – 68 dwellings proposed – 22.7 bicycle spaces required.	
Visitors – 1 bicycle space to each 10 dwellings – 68 dwellings proposed – 6.8 bicycle spaces required	
Residential requirement = 30 bicycle bays required	40 bicycle bays provided

The additional motorcycle bays and bicycle spaces are considered appropriate alternatives to the car parking requirements, in the context of the subject site.

It is considered the subject site exhibits a number of the characteristics important in enabling a car parking variation to be supported in mixed use developments. The Performance Criteria of the R-Codes require adequate car and bicycle parking to be provided in accordance with the projected need relating to the type, number and size of dwelling, availability of on-street and other offsite parking and location of the dwellings in relation to public transport. The car parking for each individual unit adheres to the R-Code provisions and it is considered the shortfall of 6 visitor car parking bays is appropriate considering the provision of motorcycle parking and the surplus of ten (10) bicycle spaces. The subject site is located within 400m of the East Perth Train Station and bus services along Lord Street. On-street parking on both Lord Street and Windsor Street is available. Reciprocal parking with the commercial units for after hours parking provides a total of 10 after hours visitor car parking bays. This is considered appropriate, as the majority of visitors are envisaged during the evenings and on weekends, when commercial bays will generally be available.

The revised R-Codes (November 2010) have removed the provisions for 'Mixed use development requirements' that were present in the previous R-Codes from April 2008. Under the 2008 R-Codes, mixed use development requirements for on-site car parking could be reduced to one bay per dwelling where on-site parking required for other users was available outside normal business hours. Accordingly, if assessed under the previous R-Codes, there would be no shortfall in the car parking numbers. Although it is not suggested the superseded R-Codes should be used to assess the current application, it is considered the removal of the mixed use provisions may be having unforeseen consequences, as experience is showing the current Acceptable Development criteria may result in an oversupply of visitor parking in mixed use developments with good access to alternative modes of transport. Notwithstanding this, Condition 2.1 provides for the use of the commercial car parking for visitors to the residential units, therefore it is considered the 6 bays provided for the commercial use sufficiently addresses the shortfall in visitor car parking, when it is considered the majority of visitors will be accessing the development outside business hours.

It is considered the shortfall in visitor car parking can be justified as the parking provision for residents exceeds the Acceptable Development criteria, and the commercial bays will be available to supplement the designated visitor parking. In addition, on-street car parking is available in Lord and Windsor Streets, and the East Perth train station is in close proximity. It is considered the R-Codes visitor parking requirements for multiple dwellings may result in an oversupply if applied inflexibly and therefore it is considered that the car parking allocation within the development satisfies the Performance Criteria of the R-Codes.

COMMENTS:

Planning

As the subject site is zoned Commercial, Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones is not applicable. However, it is considered the objectives of the Multiple Dwellings Policy are appropriate considerations in relation to the subject proposal. In this regard, the development is consistent with the criteria for designation as a Strategic Development Site under the Multiple Dwellings Policy. The lot has an area of 2576 square metres and is located within 400 metres of a local centre, train station and bus route. The Policy promotes good quality, well designed buildings, while providing for a future housing need in established metropolitan suburbs. The applicant has designed and modified the development to recognise that proximity to transport routes, road networks and the wider long term development of the locality.

Two development applications considered by the Council at its Ordinary Meeting held on 23 August 2011 conditionally approved a six and seven storey mixed use development at the corner of Lord Street, Summers Street and Coolgardie Terrace and another development on Stirling Street at the corner of Parry Street at 5 storeys (Item 9.1.4 and Item 9.1.5). The subject development is consistent with these developments and with the principles of transit oriented development, with respect to a proposed high density residential building in close proximity to transport facilities (Bus routes 41, 42, 43, 44, 47, 48 and 55, the East Perth train station and within approximately 900 metres of the Claisebrook train station).

Lord Street is a particularly diverse environment. The lot is a corner lot and as such the height of the primary and secondary street facades have been designed to reflect a vertical and strong design presence, which encourages maximum interaction at street level and maintains consistency on the corner lot. The revised plans improve the street presence of the building, with the design being articulated, with variety of materials to promote a diversified façade. The subject planning application is considered to generally improve the streetscape and surrounding area through the redevelopment of this under-utilised site. The street awning provides a sheltered and safe pedestrian thoroughfare, while providing a level of separation to the commercial and residential uses.

The amended plans are considered to significantly improve the interface with Windsor Street, which was essentially a blank wall in the plans previously refused by Council. The amended proposal has modified the basement to reduce the level difference between the Windsor Street footpath and the ground level apartments. The applicant has proposed vegetation to the courtyards of the residential units along Windsor Street. The courtyards and vegetation will enhance the street level, activating Windsor Street. Condition 8.9 Fencing will ensure permeability through to the street and vice versa, thereby improving the street surveillance. It is considered the treatment of the ground floor will ensure an active and vibrant street façade to Lord Street and Windsor Street.

Plot ratio and building height contribute to the bulk and scale of a development and in this instance, Council at its Ordinary Meeting held on 27 September 2011, refused the development based on the bulk, scale, height and interface with the residential area. The impact to the bulk, scale and height of the development has been addressed by the applicant through the façade design change and the redesign of elements of the development. The amended proposal is not considered to have an undue impact on the amenity of the area and is symptomatic of a growing trend to develop underutilised inner-city properties in areas well serviced by public transport. The subject site is located within a commercial zone and in the event the proposal was for a one hundred per cent commercial development, plot ratio would not be applicable. Furthermore, the Precinct Policy allows for nil setbacks on the side boundaries. The redesign and incorporation of the communal deck area significantly reduces the impact to adjoining residential land uses.

It is considered the proposed development has no significant amenity impacts to adjoining residents. As shown in the overshadowing diagram, the overshadowing complies with the requirement of the Residential Design Codes with respect to the adjoining eastern and southern properties. The facades fronting Lord Street and Windsor Street have been designed to maximise development potential, while not impact on adjoining land uses. The design of the development fronting the adjoining residential land uses to the eastern boundary addresses the development interface with the adjoining residential area and minimises potential impact.

Cash-in-Lieu

With regard to car parking, the City's Policy No. 3.7.1 relating to Parking and Access, specifies that if the resultant shortfall of parking is less than or equal to 0.5 bays, no parking bays or cash-in-lieu of parking is required. In this instance, the shortfall is 0.365 car bays, and accordingly there is no requirement for cash-in-lieu.

Technical Services and Strategic Planning

The Technical Services and Strategic Planning comments were addressed in the previous agenda report presented to the Council at its Ordinary Meeting held on 27 September 2011. No additional information has been provided for this report.

All comments from the Technical Services have been noted and have been addressed as conditions in the Officer's Recommendation.

With regard to the proposed development, the amended plans represent a significant reduction in built form from the site's south-eastern corner (corner of ROW and Windsor Street). The current proposal has amended the built form to push the major focus of the development towards Lord Street, and the re-design of the outdoor communal space to the site's eastern boundary (abutting the ROW), minimises the impact to the adjoining residential zoned land. A revised façade design and use of materials, addresses the presentation of the building to Lord Street and Windsor Street.

In light of the above, it is considered that the proposed redevelopment will not result in any undue impact on the amenity of the surrounding area. The reasons for the previous refusal by Council at its Ordinary Meeting held on 27 September 2011 have been addressed by the applicant, and the development is considered to align with the strategic vision for this emerging regeneration area. The revised plans are considered to adhere to the proper and orderly planning of the area and therefore the proposed development is supported subject to standard and appropriate conditions.

PROCEDURAL MOTION

At 10.05pm Moved Cr Pintabona, Seconded Cr Topelberg

That Council resume an "open meeting".

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

15. CLOSURE

There being no further business, the Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 10.05pm with the following persons present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Mike Rootsey	Director Corporate Services
Helen Smith	Manager Planning and Building Services

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 28 February 2012.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2012