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(28 JUNE 2005)**

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 - (iii) WALGA Member – FESA Bush Fire Service and Fire & Rescue Service Consultative Committee (Panel of 3 names), (Ministerial appointments)
 - (iv) WALGA Member – Heritage Council of WA (Panel of 3 names), (Approval by Minister)
 - (v) WALGA Member - Metropolitan Emergency Management Executive Group (Metropolitan Serving Officer)
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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 28 June 2005, commencing at 6.05pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania JP, declared the meeting open at 6.05pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Helen Doran-Wu North Ward

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Simon Chester	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Mark Fletcher	Journalist – Voice (until 9.00pm approx)
Dan Hatch	Journalist – Guardian Express (until 7.45pm approx)

Approximately 46 Members of the Public

(c) Members on Leave of Absence:

Nil.

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

1. Ms Elizabeth Wayson, representing Eye Sense Vision Centre – Item 10.4.4 – outlined the reasons for lodging an appeal as follows: they feel that operating on a twelve month basis is a commercial risk they cannot afford, have a financial responsibility to staff and patients and wish to provide stability and care and believe they cannot do this if the application was rejected by Council in twelve months. Have supplied ample information to the Town's Officers of their intentions. Assured that the site will only be used for optometric purposes and accepts the Council's conditions on the use.

2. Evelyn Wong of 6 Cavert Street, Shenton Park – Item 10.1.2 – Advised that the correct plans had been submitted to Council, the discrepancy of one square metre had been addressed for Lot 1 and copies were available to the Council. Wished to point out that the aerial drawings did not highlight the many new developments currently taking place in the neighbourhood. Also stated that although the block is only two square metres short of the minimum requirement, they will not set a precedent as there is already another block of the same size with two dwellings at 106 Richmond Street. Advised that the development should be assessed by the old R-codes, all neighbours in favour of the development and there are no heritage issues. Believes this is a positive thing for Oxford Street and hopes the Council will vote in favour.
3. Leanne Sorace of 79 Auckland Street, North Perth - 10.1.3 – She and her husband strongly object to the development and urges Council to vote against it due to the non compliance of the R-codes. Does not meet requirements in numerous ways and to overlook the many faults is to make a mockery of the system. Stressed the negative impact of the development and asked that it be rejected.
4. Judith Burrows of 70 Auckland Street, North Perth – 10.1.12 – Wishes to object to the proposal on the following grounds: Does not meet any of the requirements for the Policy Statement for the locality of Eton, no front parking, overshadowing severely compromises southern neighbour, setbacks are non compliant and non existent in many areas. Requested that the development be rejected as the Locality of Eton is now R20.
5. Charlie Sorace of 79 Auckland Street, North Perth - Item 10.1.3 – Stated that the application does not meet the R30 density requirements. Has heard the applicant has been granted approval for subdivision by the WAPC based on concessions. Referred to clause 3.1.2.a-2-2 regarding Battle Axe sites for single dwellings - as the submission is a grouped dwelling it does not qualify for concession on these grounds. Went to the WAPC and was informed that his finding was correct and that the development must be subject to conditions. Urged the Council to refuse the application on the grounds that it greatly affects his amenity, causing overshadowing to his entire lawn and due to its non compliance with the R-codes.
6. Cosi Schirripa of the North Perth Precinct Group – Item 10.1.3 – The Precinct has consulted with Planners from the DPI and found that the plans submitted to Council did not include Common Property and differed from those submitted to the DPI. Without the Common Property, the site no longer qualifies as a grouped dwelling and requires 420 square metres. There is also confusion with the driveway width as its reduction in size to increase the lot size to meet the R-code is not allowed. DPI advised the North Perth Precinct Group that if the plans submitted to Council were submitted to their organisation, they would be rejected as they do not meet the requirements. Stated that there should be more follow up on plans varying between submission to the DPI and the local authority. Urged the Council to either reject the proposal or find the answers to the reasons for these variations.
7. Angelo Antonis of 124 First Avenue, Mount Lawley – 10.1.3 – Feels that he has fully complied with the requests of the Town's Planning

Department and wishes to retain the front dwelling to retain the character of the area. The streetscape will be improved with landscaping and underground power. Stated that he understands local concerns of new developments but regulations are in place to protect these people – especially privacy and overshadowing. Believes the problems with the application have been exaggerated. Thanked Council for their time.

8. Vernon Butterly of Whelan's Planning Consultants – 10.1.31 – Believes that there is some misunderstanding of the application and thinks a resolution can be found. Stated that a supplementary report was submitted but not considered before the meeting due to Planning Officer absence. Stated that the report should be considered before Council makes a decision on this application and urged Council to defer the item until this was done. Advised that there will be no change to Fairfield Street, there will be extra parking and the property will remain residential, not impacting on the traffic.
9. Rudy Peroni of RJ Designs – 10.1.29 – On behalf of the owners seeking variation to the R-codes regarding on-street parking for the application. Also seeks variation on performance criteria 3.5.1 of the R-codes. As the proposal has been altered, the owners hope to receive advice from Council on the changes.
10. Jenny Brandsma of 97 Chemlford Road, - Item 10.1.27 – Stated that she wished the matter to be resolved as it had been going on for 22 months and has cost her over \$15000.00 in consultancy fees. Urged Council to approve the development as recommended. Lived on the property for 21 years and bought neighbouring property to beautify her home and for financial security in the future. Stressed that there is no intention to build houses now or in the foreseeable future. Wishes to enhance the local street scape with the garden. Wants the development to be a positive part of the locality. Urged Council to approve the development after such a long and costly process.
11. Brandon Munro of 14 Auckland Street, North Perth – Item 10.1.12 – Stated that he hopes to retain the existing dwelling and build a new dwelling at the back. It is a difficult site to work with and that is what has led to the issues with setback requirements. Requested that conditions (iii)(a) and (iii)(b) be deleted from the recommendation as amenity is drastically reduced and there is very little effect to neighbouring properties. All issues previously raised by the Action Group have been addressed. Urged Council to approve the development deleting clauses (iii)(a) and (b).
12. Edwin Bollig of Bollig Design Group – Item 10.1.36 – Stated that the development is actually better since its previous submission and wishes to thank the Council for their professionalism in dealing with this project. Urged the Council to approve the proposal.
13. Phil Cockman of HTS Consultants – Item 10.1.26 – Stated that the owners wish to change the wording on the Certificate for Liquor Licensing to 'Tavern' as there is no specific Liquor License for a Karaoke Bar. Premises is fitted out as a Karaoke Bar and a change of use is not practical. Thanks the Officer for recommending approval and thanked the Council for its time.

14. Katrina Alexander of 124 Joel Terrace, Mount Lawley – Items 10.1.34 and 10.1.35 – Supports the proposed 4 single residential lots on 128-130 Joel Terrace. However, there is still an issue on Lot 4 with building under and between the Camphor Laurel tree and her backyard. Requests that Lot 4 be made larger. Requested that Council enforce that any building under, north or south of the tree be restricted to single storey. This will eliminate privacy issues for adjoining neighbours.
15. David Beeby of 124 Joel Terrace, Mount Lawley –Items 10.1.34 and 10.1.35 – Agreed with the previous speaker but wished to raise issues regarding his adjoining property and points of the application that require clarification. External setbacks, lack of reference to single residential for the subdivision, right of carriage way to be maintained on his property and the size of lot 4 to be increased.
16. Caroline Sweeney of 52 Buxton Street, Mount Hawthorn – Item 10.1.10 – Stated that the staircase was only 600mm over the requirement and with no neighbours on that side of the property, urged Council to approve the development.
17. Doreen Sonogo of 120 Joel Terrace, Mount Lawley - Items 10.1.34 and 10.1.35 – Stated that the Design Guidelines leave the property open to developers using the plot ratios inappropriately. Also stated that the Camphor Laurel tree was left unprotected in the development. Advised that the residents were not given enough time to fully understand and investigate the impact of this development. Urged the Council to reject the proposal or at least consider that some sort of planning application be submitted before it is approved.
18. Nick Aitken of 109 Gloucester Street, Subiaco – Items 10.1.34 and 10.1.35 – Stated that the land is zoned R60 and can therefore support nine units and the proposed four lot subdivision in a significant down scale from its zoning and the prior seven unit proposal. Stated that the Chairman of the Appeals Tribunal supported the pruning of the Camphor Laurel tree. Stated that legal advice he has obtained suggests that the Town cannot properly or reasonably refuse to approve the development which the Tribunal has indicated has merit however, at the request of the Council and in good faith the proposed four lots are a more acceptable proposal to residents and Councillors in the area. Urged the Council to accept the amended development as a sensible, all round solution for everyone.
19. Colin Thierry of 52b Hobart Street, - Item 10.1.12 – Opposes development and urged Council to reject the proposal as the compromise should not fall on the shoulders of the neighbouring properties when there are many alternative options for the applicants.

There being no further questions from the public, the Presiding Member closed Public Question Time at 6.55 pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Steed Farrell for the period 8 August 2005 to 31 August 2005 inclusive for personal reasons.

Moved Cr Torre, Seconded Cr Chester

That Council APPROVES Leave of Absence for Cr Farrell for the period 8 August 2005 to 31 August 2005 inclusive for personal reasons.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

- 5.1 The Chief Executive Officer advised that a petition with 15 signatures was received from Mr and Mrs Crowe of 9 Hyde Street, Mount Lawley, in support of the Town's Draft Residential Design Elements Policy – Amendment No. 8.

The Chief Executive Officer advised that the petition would be referred to the Executive Manager Environmental and Development Services for inclusion in the report to be submitted to Council on this matter.

- 5.2 The Chief Executive Officer advised that a further petition with 19 signatories was received from residents and/or frequent users of the café and retail strip in Oxford Street requesting the Town takes immediate action to increase the amount of car parking available in the Oxford Centre Precinct.

The Chief Executive Officer advised that the petition would be referred to Executive Managers Technical Services and Environmental and Development Services for investigation and report.

Moved Cr Farrell, Seconded Cr Torre

That the petitions be received and referred to the Officers for investigation and report.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Ordinary Meeting of Council held on 14 June 2005

Moved Cr Farrell, Seconded Cr Lake

That the Minutes of the Ordinary Meeting of Council held on 14 June 2005 be confirmed as a true and correct record.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Art Award 2005

Entries are invited for the Town's Art Awards to all those interested in art. Our Art Awards are considered one of the most acceptable in the metropolitan area. The opening night will be 2 September 2005 through till 11 September 2005 and held here at the Town in the Council Chamber.

7.2 Film Awards 2005

The Town gives aspiring young film makers the opportunity to produce films in the Town with a cash prize of \$2000.00. This is a new initiative for the Town of Vincent and works in well with our constant support of the Arts. We hope to give these film makers the chance to be seen in the international arena.

7.3 Item 10.1.22

There has been a request for deferral by the applicants.

7.4 Confidential Item of Urgent Business

All councillors to note this extra item.

8. DECLARATION OF INTERESTS

8.1 Mayor Catania declared a financial interest in Item 10.3.2 – Investment Report. The extent of Mayor Catania's interest being that he is the Chairperson of the North Perth Community Bank.

8.2 Councillor Messina declared a financial interest in Item 10.3.2 – Investment Report. The extent of Councillor Messina's interest being he is a financial shareholder and director of the North Perth Community Bank.

8.3 Councillor Chester declared a proximity interest in Item 10.1.27 relating to Proposed Guidelines for 95 Chelmsford Road. The extent of Councillor Chester's interest being that he is a co-owner of an adjoining property.

8.4 Councillor Farrell declared an impartiality interest in Item 10.3.6 relating to Cultural Development Seeding Grants Applications. The extent of Councillor Farrell's interest being that he has a child who attends the Mount Hawthorn Primary School who is a possible recipient of a grant.

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

Nil.

10. REPORTS

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

The Agenda Items were categorised as follows:

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

Items 10.4.4, 10.1.2, 10.1.3, 10.1.12, 10.1.31, 10.1.29, 10.1.27, 10.1.36, 10.1.26, 10.1.34, 10.1.35 and 10.1.10.

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

Item 10.3.5, 10.4.1 and 10.4.2.

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

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

Cr Farrell	Item 10.4.1
Cr Chester	Items 10.1.28, 10.1.32 and 10.4.3
Cr Ker	Items 10.1.11, 10.1.17, 10.1.18, 10.1.19 and 10.1.21
Cr Doran-Wu	Apology for the meeting
Cr Torre	Nil
Cr Lake	Items 10.1.4, 10.1.9, 10.1.15 and 10.1.16
Cr Messina	Items 10.1.1 and 10.2.2
Cr Maier	Items 10.1.20 and 10.3.1
Mayor Catania	Nil

Presiding Member, Mayor Nick Catania JP, requested the Chief Executive Officer to advise the Meeting of:

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

10.1.27 and 10.3.2.

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

Items 10.1.5, 10.1.6, 10.1.7, 10.1.8, 10.1.13, 10.1.14, 10.1.23, 10.1.24, 10.1.25, 10.1.30, 10.1.33, 10.2.1, 10.2.3, 10.2.4, 10.3.3, 10.3.4, 10.3.6 and 10.3.7.

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

Items 10.4.4 and 13.1 Urgent Business (Late Item).

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

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

Items 10.1.5, 10.1.6, 10.1.7, 10.1.8, 10.1.13, 10.1.14, 10.1.23, 10.1.24, 10.1.25, 10.1.30, 10.1.33, 10.2.1, 10.2.3, 10.2.4, 10.3.3, 10.3.4, 10.3.6 and 10.3.7.

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

Items 10.4.4, 10.1.2, 10.1.3, 10.1.12, 10.1.31, 10.1.29, 10.1.27, 10.1.36, 10.1.26, 10.1.34, 10.1.35 and 10.1.10.

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

Moved Cr Chester, Seconded Cr Ker

That Item 10.1.22 be Deferred at the request of the applicant.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Moved Cr Torre, Seconded Cr Farrell

That the following unopposed items be moved en bloc;

Items 10.1.5, 10.1.6, 10.1.7, 10.1.8, 10.1.13, 10.1.14, 10.1.23, 10.1.24, 10.1.25, 10.1.30, 10.1.33, 10.2.1, 10.2.3, 10.2.4, 10.3.3, 10.3.4, 10.3.6 and 10.3.7.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Cr Messina departed the Chamber at 7.10pm.

Cr Messina returned to the Chamber at 7.11pm.

10.1.22 No. 41 (Lots 134 & 135) Walcott Street, Corner Curtis Street, Mount Lawley - Proposed Alterations and Additions to Existing Eating House

Ward:	South	Date:	22 June 2005
Precinct:	Forrest; P14	File Ref:	PRO1700; 00/33/2788
Attachments:	001		
Reporting Officer(s):	L Mach, T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by J Christou & Partners Architects on behalf of the owner Keppel Nominees for proposed Alterations and Additions to Existing Eating House, at No. 41 (Lots 134 & 135) Walcott Street, corner Curtis Street, Mount Lawley, and as shown on plans stamp-dated 23 March 2005, subject to:*
- (a) *detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
 - (b) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
 - (c) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted to and approved by the Town prior to the erection of the signage;*
 - (d) *the maximum gross public floor area shall be limited to 254 square metres unless adequate car parking is provided for the changes in floor space area;*
 - (e) *the alterations and additions being supervised by a qualified Heritage Architect;*
 - (f) *the maximum amount of the original window content shall be retained, as far as practicable;*
 - (g) *prior to the issue of the Building Licence, the applicant/owner shall pay a cash-in-lieu contribution of \$50,550 for the equivalent value of 20.22 car parking spaces, based on the cost of \$2,500 per bay as set out in the Town's 2004/2005 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided or the car parking requirements have decreased as a result of the change in floor area use, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements; and*

- (h) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s); and*
- (ii) *the Council ADVISES the applicant that the Department for Planning and Infrastructure has advised as follows:*

"The subject land (Lot 134) is affected by a land requirement for the future upgrading of Walcott Street, which is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS). The attached extract of the WAPC Plan No. 1.3155/1 defines the land requirement for the ORR, which is for a 3m x 3m corner truncation.

It is proposed that at some stage in the future the Western Australian Planning Commission will acquire this land for the purposes of widening the ORR.

You are advised to contact WAPC - Land Asset Management Branch of the Department for Planning and Infrastructure should you wish to discuss early purchase of the affected land by the Western Australian Planning Commission."

COUNCIL DECISION ITEM 10.1.22

Moved Cr Chester, Seconded Cr Ker

That Item 10.1.22 be DEFERRED at the request of the applicant.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	Keppel Nominees
Applicant:	J Christou & Partners Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Eating House
Use Class:	Eating House
Use Classification:	"SA"
Lot Area:	1273 square metres
Access to Right of Way	South side, 3.0 metres wide, unsealed, privately-owned

BACKGROUND:

- 26 June 2001 Council at its Ordinary Meeting resolved to conditionally approve by absolute majority an application for similar plans for alterations, additions and associated assembly areas to existing eating house at the subject property.
- 23 September 2004 Conditional approval was granted under delegated authority from the Council for patio addition to existing eating house at the subject property.

DETAILS:

The proposal involves proposed alterations and additions to existing eating house at the subject property. The alterations and additions relate to an increase in the mezzanine floor area, creation of external dining deck and the enclosure and extension of the southern podium. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
Comment	The Department for Planning and Infrastructure have advised it has no objections to the subject proposal, subject to applicant/owner being advised of Clause (ii) of the Officer Recommendation.		Noted.
Support	Nil		Noted.
Objection	Nil		Noted.
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking- Commercial Component			
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> Eating house - 56 car bays (Based upon previous public floor area limit of 100 square metres plus proposed additional public floor area of 154 square metres)			56 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> 0.85 (within 400 metres of a bus stop) 0.95 (within 400 metres of car park in excess of 25 car bays) 			(0.8075) 45.22 car bays
Minus the car parking provided on-site			25
Minus the most recently approved on-site car parking shortfall			Nil
Resultant shortfall			20.22 car bays

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

COMMENTS:

Parking

The subject application proposes an increase in eating house/public floor area, without the provision of additional car parking and therefore, results in a net parking shortfall of 20.22 car bays.

A cash-in-lieu payment for this shortfall is supported on the basis that the minimum car parking requirement of 12 car bays (in accordance with the Town's Policy relating to Parking and Access) is provided.

Heritage

The subject place was constructed circa 1910 and is listed on the Town's Municipal Heritage Inventory. Its primary construction materials are brick, stone and iron and over the years, there have been few modifications to the significant fabric of the place. The proposal includes a new addition to the rear of the building, widening of the mezzanine level and the creation of a new alfresco deck area to the eastern side of the building. The new addition to the rear of the building and the widening of the mezzanine level will have little impact on the existing fabric of the place and are essentially reversible. Consequently, these proposed works are supported from a heritage point of view.

In terms of the proposed alfresco deck area, it is considered that the decking itself will have a minor impact on the existing fabric of the place, and the proposed access to the deck area from the existing Walcott Street entrance is considered acceptable. The plans submitted indicate an alternative access to the outdoor eating area.

Summary

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

10.1.5 No. 128 (Lot 101) Alma Road, North Perth - Proposed Two-Storey Single House - Amended Plans

Ward:	South	Date:	20 June 2005
Precinct:	Norfolk, P10	File Ref:	PRO2590; 00/33/1943
Attachments:	001		
Reporting Officer(s):	K Loader		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the amended plans stamp-dated 23 May 2005 to Planning Approval (Serial No. 00/33/1943) granted by the Council on 24 February 2004 and issued on 4 March 2004, for proposed Two-Storey Single House, at No. 128 (Lot 101) Alma Road, North Perth.

COUNCIL DECISION ITEM 10.1.5

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

The subject amended plans have been submitted as part of the Building Licence application for the proposed development and varies from the respective Planning Approval plans. Given the debate in relation to Item 10.4.5 at the Ordinary Meeting of Council held on 22 March 2005 regarding the development No. 516 Fitzgerald Street, North Perth, the subject amended plans are being referred to this Ordinary Meeting for consideration and determination by Council. The Town's Manager Planning, Building and Heritage Services has developed a Policy to address procedures for dealing with variations between Planning Approval Plans and Building Licence Plans. This draft Policy was considered by the Council on 26 April 2005 and the following was resolved:

"That the Item be DEFERRED to allow for rewording and definitions/clarifications of significant variations compared to minor variations."

Landowner:	V and J Shulman
Applicant:	Brent Shulman Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	250 square metres
Access to Right of Way	N/A

BACKGROUND:

The Council at its Ordinary Meeting held on 24 February 2004 resolved to conditionally approve an application for proposed two-storey single house at the subject site.

DETAILS:

The current revised Building Licence Application plans differ from the previously approved plans. The amendments are summarised in the following table:

Amendments	Previously Approved Plans	Building Licence Application Plans
Roof Height (Ground floor)	4.3 metres - 3.4 metres	3.9 metres – 2.73 metres
Balcony	Shown on plans	Deleted on plans
Bedroom 2 Screening (North elevation)	Screening via laundry/store roof, nevertheless screening was not required as window complied with privacy requirements	No screening via modified laundry/store roof, nevertheless screening not required as window complies with privacy requirements

A floor plan and elevation plan indicating the comparison between the previously approved plans and those currently proposed are attached for the Council's consideration (circled area indicates where the proposed amendments are located).

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
The revised Building Licence Application plans do not result in any greater variations to the development requirements from the previously approved plans.			
Consultation Submissions			
The amended plans were not advertised as it does not involve any greater variation to the development requirements from the previously approved plans.			
Support	N/A		N/A
Objection	N/A		N/A
Other Implications			
Legal/Policy			TPS 1 and associated Policies and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

COMMENTS:

The revised Building Licence Application plans are regarded to be acceptable as the amendments are still compliant with the plot ratio requirements for the area with a density code of R40. Furthermore, it is noted that the amendments do not increase any building setback or privacy setback requirements.

Accordingly, it is recommended that further Planning Approval for the revised Building Licence Application plans should not be required, and that the revised plans be approved as amended plans to the previous Planning Approval.

10.1.6 No. 32 (Lot 84) Coogee Street, Mount Hawthorn - Proposed Patio Addition to Existing Single House (Application for Retrospective Approval)

Ward:	North	Date:	21 June 2005
Precinct:	Mount Hawthorn; P1	File Ref:	PRO3141; 00/33/2787
Attachments:	001		
Reporting Officer(s):	S Klarich		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Jason Simpfendorfer on behalf of the owner JB & EL Simpfendorfer for proposed Patio Addition to Existing Single House (Application for Retrospective Approval), at No. 32 (Lot 84) Coogee Street, Mount Hawthorn, and as shown on plans stamp-dated 24 March 2005, subject to:

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

COUNCIL DECISION ITEM 10.1.6

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	JB & EL Simpfendorfer
Applicant:	Jason Simpfendorfer
Zoning:	Metropolitan Region Scheme: [Urban] Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	468 square metres
Access to Right of Way	West side, 6 metres wide, sealed, privately owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The applicant seeks retrospective Planning Approval for a patio addition to an existing single house.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Setbacks - northern side	1.5 metres	1.0 metre	Supported, considered minor and no undue impact.
Plot Ratio	N/A	N/A	N/A

Consultation Submissions		
Support (2)	No advertising undertaken - adjoining property owners approval submitted with application	Supported
Objection	Nil	Nil
Other Implications		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	

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

COMMENTS:

The proposal was not advertised as the affected neighbours' written support were provided by the applicant at the time of submission. The development application is retrospective and therefore is submitted to the Council for consideration and determination.

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.7 No. 28 (Lot 23) Kadina Street, Dual Frontage to Tennivale Place, North Perth - Street/Front Retaining Walls and Fencing Additions to Existing Single House (Application for Retrospective Approval)

Ward:	North	Date:	21 June 2005
Precinct:	Smith's Lake; P6	File Ref:	PRO3036; 00/33/2701
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Limestone Innovations on behalf of the owner S Hughes for Street/Front Retaining Walls and Fencing Additions to Existing Single House (Application for Retrospective Approval), at No. 28 (Lot 23) Kadina Street, dual frontage to Tennivale Place, North Perth, and as shown on plans stamp-dated 4 February 2005, subject to:*
- (a) *a minimum of two (2) significant appropriate design features shall be incorporated into the walls/fence adjacent to Tennivale Place to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the works being undertaken. These design features works shall be installed and completed within 28 days of notification of this approval; and*
 - (b) *the applicants/owners shall pay the outstanding fee, being \$300, for application for retrospective Planning Approval, within 14 days of the date of notification of this approval; and*
- (ii) *the Council ADVISES the applicant and owners that the above works are to be installed and completed within twenty-eight (28) days of notification, and the Council AUTHORIZES the Chief Executive Officer to commence legal proceedings should the above works have not been completed within this twenty-eight (28) days period.*

COUNCIL DECISION ITEM 10.1.7

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	S Hughes
Applicant:	Limestone Innovations
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	362 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The application for retrospective Planning Approval involves retaining walls and fencing additions to existing single house at No. 28 (Lot 23) Kadina Street, dual frontage to Tennivale Place, North Perth. The subject retaining walls and fencing additions front onto Tennivale Place.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Walls and Fences to Secondary Streets	The solid portion of the wall and/or fence may increase to a maximum height of 1.8 metres, provided that the wall and/or fence has appropriate design features to reduce the visual impact - for example, open structures, recesses and/or planters facing the road at regular intervals and varying materials.	No design features	Not supported - it is recommended that the subject wall incorporates at least two design features in accordance with the Officer Recommendation
Consultation Submissions			
The application was not advertised as it is considered not to involve intensification of the current use of the site; is incidental, associated and ancillary to the usage and development of the site; and is being referred to the Council for its consideration and determination.			

Other Implications	
Legal/Policy	TPS 1 and associated Policies and Residential Design Codes.
Strategic Implications	Nil
Financial/Budget Implications	Nil

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

COMMENTS:

The application for retrospective approval for retaining walls and fencing additions to existing single house is non-compliant with the Town's Policy relating to Street Walls and Fences as the walls and fencing do not have two design features. This has been addressed in the Officer Recommendation.

In light of the above, the application is recommended for approval, subject to standard and appropriate conditions, and the required design features works should be completed and the outstanding application fees paid in accordance with the Officer Recommendation.

10.1.8 No. 46 (Lot 162) Sasse Avenue, Mount Hawthorn - Alterations and Additions to Existing Single House (Application for Retrospective Approval)

Ward:	North	Date:	17 June 2005
Precinct:	Mount Hawthorn; P1	File Ref:	PRO3194; 00/33/2865
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners B & E Donovan for Alterations and Additions to Existing Single House (Application for Retrospective Approval), at No. 46 (Lot 162) Sasse Avenue, Mount Hawthorn, and as shown on plans stamp-dated 17 May 2005, subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Sasse Avenue shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency; and*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	B & E Donovan
Applicant:	B & E Donovan
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	377 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The application involves alterations and additions to existing single house (application for retrospective approval) at the subject property. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Setbacks - North	1.5 metres	1.1 metres	Supported- minor variation, setback maintains existing building line and no undue impact on adjoining neighbour.
Consultation Submissions			
Support	Nil		Noted.
Objection (1)	<ul style="list-style-type: none"> Impact of air conditioner in terms of visual impact, noise, health /comfort and property devaluation. 		Not supported- separate matter to be investigated by Town's Health Services and Town's Development Compliance Officer in terms of noise requirements and Town's Local Law relating to Air Conditioning Units.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

The variation sought by the applicant is considered to be minor, not to have an undue impact on the adjoining neighbours or the surrounding area and is considered supportable. The planning application is therefore recommended for approval, subject to standard conditions.

10.1.13 No. 10 (Lot 27) Dangan Street, Perth - Proposed Partial Demolition of and Alterations, Two-Storey Additions, and Garage to Existing Single House

Ward:	South	Date:	20 June 2005
Precinct:	Hyde Park; P12	File Ref:	PRO1777; 00/33/2699
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner J and MS Mardesic for proposed Partial Demolition of and Alterations, Two-Storey Additions, and Garage to Existing Single House, at No. 10 (Lot 27) Dangan Street, Perth, and as shown on plans stamp-dated 19 April 2005, subject to:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *subject to first obtaining the consent of the owners of Nos. 6 and 14 Dangan Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 6 and 14 Dangan Street in a good and clean condition;*
- (iii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Dangan Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (v) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating a visual truncation of 1 metre by 1 metre being provided at the intersection of the garage and right of way/spite strip. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and*
- (vi) *this Planning Approval is not to be construed as support of any approval for an office land use on the subject site. A Planning Application is required to be submitted to and approved by the Town for a commercial office land use on the subject site.*

COUNCIL DECISION ITEM 10.1.13

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	J and MS Mardesic
Applicant:	J and MS Mardesic
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	253 square metres
Access to Right of Way	East side, 5 metres wide (plus 0.9 metre wide spite strip), sealed, Town owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves partial demolition of and alterations, two-storey additions and garage to existing single house.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65- 164.45 square metres.	0.74 - 188 square metres	Supported - the development is compliant with open space requirements and has no undue impact on streetscape.
Setbacks: North - Ground Floor - Garage	1.0 metre	Nil	Supported - compliant with height and length provisions of R Codes clause 3.3.2 - Buildings on Boundary requirements.

Upper Floor - Sitting Room and Bedroom 2	1.2 metres	Nil	Supported - no undue impact and affected neighbours support received.
South - Ground Floor -Laundry	1.0 metre	Nil	Supported - compliant with height and length provisions of R Codes clause 3.3.2 - Buildings on Boundary requirements.
Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Buildings on Boundary:			
Number	To one side boundary	To two side boundaries	Supported - site is located close to the inner city and considered to have no undue impact on amenity of area.
Height (Sitting Room and Bedroom 2)	3 metres average with maximum of 3.5 metres	Maximum and average of 5.85 metres.	Supported - no undue impact and affected neighbours support received.
Consultation Submissions			
Support (1)	<ul style="list-style-type: none"> Affected neighbour supports setback and Building on Boundary non-compliance 		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

Plot Ratio

The variation to plot ratio requirement is supported on the basis that the development is an addition to an existing structure, it is compliant with R Codes open space requirements and a site inspection by the Town's Officers indicated that it will not have an undue impact on the streetscape given its context to the bulk and scale of other developments along Dangan Street.

Right of Way/ Manoeuvring

The right of way is 5 metres wide with a 0.9 metre wide spite strip. The garage therefore has 5.9 metres manoeuvring providing that the owner can demonstrate that the subject site has a legal right of access over the 0.9 metre wide spite strip. This is included as a condition in the Officer Recommendation.

Summary

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.14 No. 55 (Lot 3) Scarborough Beach Road, Dual Frontage to Anzac Road, North Perth - Proposed Partial Demolition of and Alterations and Additional Two-Storey Single House to Existing Single House and Demolition of Existing Outbuilding (Shed)

Ward:	North	Date:	20 June 2005
Precinct:	Smith's Lake; P6	File Ref:	PRO2426; 00/33/2648
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner AM & CR Stuart-Smith for proposed Partial Demolition of and Alterations and Additional Two-Storey Single House to Existing Single House and Demolition of Existing Outbuilding (Shed), at No. 55 (Lot 3) Scarborough Beach Road, Dual Frontage to Anzac Road, North Perth, and as shown on amended plans stamp-dated 29 December 2004 (existing and proposed site plans, composite side elevations and overshadowing diagram) and 20 May 2005 (floor plans and elevations), subject to:

- (i) first obtaining the consent of the owners of Nos. 53 and 57 Scarborough Beach Road for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 53 and 57 Scarborough Beach Road in a good and clean condition;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the parapet wall on the western boundary being a maximum height of 3 metres. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (iii) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iv) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Anzac Road and Scarborough Beach Road shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency; and*
- (v) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Scarborough Beach Road and Anzac Road verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

COUNCIL DECISION ITEM 10.1.14

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	AM & CR Stuart-Smith
Applicant:	AM & CR Stuart-Smith
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	440 square metres
Access to Right of Way	South side, 5 metres wide, sealed, Town of Vincent owned

BACKGROUND:

27 January 2005 Conditional approval issued by the Western Australian Planning Commission for the survey strata subdivision of No. 55 (Lot 3) Scarborough Beach Road and Anzac Road, North Perth.

DETAILS:

The proposal involves partial demolition of and alterations and additional two-storey single house to existing single house and demolition of existing outbuilding (shed).

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65	0.65	Supported - no variation.
Density	2 dwelling R 60	2 dwellings R 45.5	Supported - no variation.
Setbacks:			
<u>Ground Floor</u> West	1.5 metres	Nil - 2 metres	Supported - no undue impact on neighbouring property and affected neighbour has no objection to the setback variation.
<u>Upper Floor</u> South - Bedroom 1	2.5 metres	1.6 metres	Supported - due to the awkward shape of the site and variation is not considered to have an undue impact on the streetscape.

West	1.5 metres	1.4 metres - 2.0 metres	Supported - no undue impact on neighbouring property and affected neighbour has no objection to the setback variation.
South-East (to Anzac Road)	6 metres	2.5 - 5.5 metres	Supported - variation is not considered to have an undue impact on the streetscape (4.87 metres Anzac Road frontage).
Building on Boundary	Walls not higher than 3.5 metres with an average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	Building wall has an average height of 3.1 metres	Not supported - it is recommended that the boundary wall height be reduced to a maximum wall height of 3 metres in accordance with the Officer Recommendation.

Consultation Submissions

Support	Nil	Noted
Objection (1)	<ul style="list-style-type: none"> • Overlooking • Finishing of boundary wall • Security concerns when development requires the removal of any boundary fences • Any damage caused to be indemnified by the developers 	<p>Not supported - the proposed development is compliant with the privacy requirements of the Residential Design Codes (R Codes).</p> <p>Supported - it is recommended that the surface of the boundary wall be finished in a good and clean condition in accordance with the Officer Recommendation.</p> <p>Noted - not a planning consideration.</p> <p>Noted - not a planning consideration.</p>

Other Implications

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

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

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

COMMENTS:

The proposal is regarded to be in keeping with the established streetscape and the variations sought by the applicant (except those relating to the building on boundary height, which are addressed in the conditions of the Officer Recommendation) are considered to be supportable and not to have an undue impact on the surrounding area.

The proposal was advertised and one objection was received with concerns relating to overlooking, finishing of the boundary wall, security and damage. These concerns are addressed in the above Assessment Table.

In light of this, the proposal is recommended for approval, subject to standard and appropriate conditions.

10.1.23 No. 191 (Lot 183) Scarborough Beach Road, Mount Hawthorn - Change of Use of Unit B from Light Industry (Clothing Manufacturing) and Unit C from Eating House (Lunch Bar/Coffee Lounge), to Vehicle Sales Premises and Associated Signage (Application for Retrospective Approval)

Ward:	North	Date:	21 June 2005
Precinct:	Mount Hawthorn Centre; P2	File Ref:	PRO3092; 00/33/2717
Attachments:	001		
Reporting Officer(s):	S Klarich		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by A Briffa on behalf of the owner V Gvozdenovic for Change of Use of Unit B from Light Industry (Clothing Manufacturing) and Unit C from Eating House (Lunch Bar/Coffee Lounge), to Vehicle Sales Premises and Associated Signage (Application for Retrospective Approval), at No. 191 (Lot 183) Scarborough Beach Road, Mount Hawthorn, and as shown on plans stamp-dated 7 February 2005, subject to:

- (i) doors, windows and adjacent floor areas fronting Scarborough Beach Road shall maintain an active and interactive relationship with this street;*
- (ii) the signage shall not have flashing or intermittent lighting;*
- (iii) all signage shall be kept in a good state of repair, safe, and be non-climbable and free from graffiti for the duration of their display on-site; and*
- (iv) the three (3) car parking bays in front of Units B and C on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans within 28 days of notification of this approval and maintained thereafter by the owner(s)/occupier(s).*

COUNCIL DECISION ITEM 10.1.23

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	V Gvozdenovic
Applicant:	A Briffa
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Vehicle Sales Premises ("Unauthorised")
Use Class:	Vehicle Sales Premises
Use Classification:	"AA"
Lot Area:	544 square metres
Access to Right of Way	West side, 6 metres wide, sealed, privately owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The applicant seeks Retrospective Planning Approval for a change of use at two of the three tenancies at No. 191 (Lot 183) Scarborough Beach Road, Mount Hawthorn. Unit B has a current land use approval of Light Industry (Clothing Manufacturing) and Unit C has a current land use approval of Eating House (Lunch Bar/Coffee Lounge). It is proposed for both Units B and C to have a change of use to Vehicle Sales Premises. Approval is also being sought for the associated signage on-site.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Signage	A projecting sign attached directly to a building is not to project more than 1 metre from the wall and not exceed 4 square metres in area.	One 7.5 metres long x 1.2 metres high sign – 9 square metres	Supported – sign is the same size and in same location as previous uses sign and is of similar size with existing signs on adjacent properties.
Consultation Submissions			
Support	Nil		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car parking requirement (nearest whole number) - Vehicle Sales Premises: 130 square metres			3 car bays
Apply the adjustment factors.			(0.7225)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces) 			2.17 car bays
Minus the car parking provided on-site			3 car bays
<ul style="list-style-type: none"> • 3 bays provided on-site 			
Minus the most recently approved on-site car parking shortfall			Nil
Resultant Surplus			0.83 car bay

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

COMMENTS:

The applicants have advised that Scootamoto involves the sale of scooters with an engine capacity of 50cc through to 125cc with the hours of operation being:

9am - 6pm	Monday, Tuesday, Thursday and Friday
9am - 9pm	Wednesday
9am - 1pm	Saturdays
Closed	Sundays

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.24 Nos. 150-154 (Lots Pt 1, Pt2 & 124), Oxford Street, Corner Vincent Street, Leederville (Fronting Vincent Street) - Proposed Change of Use from Shop and Eating House to Shop and Associated Alterations for Tenancy 4

Ward:	South	Date:	21 June 2005
Precinct:	Oxford Centre; P4	File Ref:	PRO0191; 00/33/2840
Attachments:	001		
Reporting Officer(s):	S Klarich		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Adams & Associates Pty Ltd on behalf of the owner Jay-Tee Nominees Pty Ltd for proposed Change of Use from Shop and Eating House to Shop and Associated Alterations for Tenancy 4, at Nos. 150-154 (Lots Pt 1, Pt2 & 124) Oxford Street corner Vincent Street, Leederville, and as shown on plans stamp-dated 29 April 2005, subject to:

- (i) *the floor areas shall be limited to;*
 - (a) *59 square metres of public area for the eating house component for Tenancy 1;*
 - (b) *42 square metres of public area for the eating house component for Tenancy 2;*
 - (c) *45 square metres of gross floor area for the shop component for Tenancy 3; and*
 - (d) *72 square metres of gross floor area for the shop component for Tenancy 4.*

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

- (ii) *doors, windows and adjacent floor areas fronting Vincent Street shall maintain an active and interactive relationship with the street; and*
- (iii) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage.*

COUNCIL DECISION ITEM 10.1.24

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	Jay-Tee Nominees Pty Ltd
Applicant:	Adams & Associates Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Shop and Eating House
Use Class:	Shop
Use Classification:	"P"
Lot Area:	354 square metres
Access to Right of Way	East side, 3 metres wide, sealed, privately owned

BACKGROUND:

- 1 December 2004 The Town, under delegated authority, conditionally approved alterations to existing shop and eating house at Nos. 150-154 Oxford Street, Leederville. This Approval included the subject shopfront having 2 large windows facing Vincent street, and bin enclosures, fence and gate along the right of way.
- 8 March 2005 The Council, at its Ordinary Meeting, resolved to conditionally approve proposed change of use from shop and eating house to eating house and associated alterations and additions, and associated signage for Tenancy 1 - Gloria Jeans.
- 22 March 2005 The Council, at its Ordinary Meeting, resolved to conditionally approve proposed change of use from shop and eating house to eating house and associated alterations and additions to signage for Tenancy 2 - Gelare.

DETAILS:

The proposal involves change of use from shop and eating house to shop and associated alterations.

The conditional approval issued for the alterations to existing shop and eating house approved by the Town on 1 December 2004, involved the repartitioning of the previous Hawkers Hut Restaurant into 3 new tenancies. Two new tenancies have frontage to Oxford Street and one has frontage to Vincent Street. Condition (iv) of the above approval stated the following:

"(iv) prior to the first occupation of tenancies 1,2 and 4, Planning Approval for the respective use of these tenancies shall be applied to and granted by the Town;"

The existing shop at Tenancy 3, Nos. 150-154 Oxford Street, Leederville, being the *Flight Centre*, the new Tenancy 1, being *Gloria Jeans*, and the new Tenancy 2, being *Gelare* remain unchanged by this application.

The proposed shop at Tenancy 4 has sole access from Vincent Street. The applicants have stated that the proprietors have not yet accepted an offer to lease the premises, however they anticipate the premises will be open from 9.00 am to 6.00 pm Monday to Saturday with a maximum of 2 staff working at any one time.

No signage details were submitted with the application. When the tenancy is leased, the lessee will be required to submit a separate planning application and Sign Licence application.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
Support	N/A		N/A
Objection	N/A		N/A
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car parking requirement (nearest whole number) - Eating House: Tenancies 1 & 2, public area Gloria Jeans - 59 square metres Gelare - 42 square metres - Total 22.44 car bays - Shop: Tenancies 3 & 4, gross floor area Flight Centre - 45 square metres Tenancy 4 - 72 square metres - Total 7.8 car bays			30 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.80 (within 800 metres of a rail station) • 0.85 (within 400 metres of a bus stop) • 0.80 (within 50 metres of one or more public car parks in excess of 50 spaces) • 0.90 (within a District Centre Zone) 			(0.49) 14.70 car bays
Minus the car parking provided on-site			Nil
Minus the most recently approved on-site car parking shortfall (after taking into account relevant adjustment factors) that is, 14.42 car bays (57.6 square metres of public floor area for eating house at Tenancy 1 and 61.36 square metres of public floor area for eating house at Tenancy 2 and 45 square metres of gross floor area for shop at Tenancy 3) x 0.49 = 14.42 car bays. Therefore, 14.42 car bays is the approved on-site parking shortfall			14.42 car bays
Resultant Shortfall			0.28 car bay **

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

**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.

COMMENTS:

The application did not require to be advertised as a shop is a "P" use in the District Centre Zone. The application is referred to Council for its consideration and determination.

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.25 Unit 4/No. 156 (Lot 3) Oxford Street, Corner Vincent Street, Leederville - Proposed Change of Use from Shop and Ancillary Picture Framing to Shop (Hairdressing and Beauty Salon) and Associated Signage for Tenancy 4

Ward:	South	Date:	21 June 2005
Precinct:	Oxford Centre; P4	File Ref:	PRO0538; 00/33/2820
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by J Seaton on behalf of the owner Wandina Holdings for proposed Change of Use from Shop and Ancillary Picture Framing to Shop (Hairdressing and Beauty Salon) and Associated Signage for Tenancy 4, at Unit 4/No. 156 (Lot 3) Oxford Street, corner Vincent Street, Leederville, and as shown on plans stamp-dated 11 April 2005, subject to:

- (i) *the floor areas shall be limited to;*
 - (a) *240 square metres of gross floor area for the shop component;*
 - (b) *95 square metres of public area for the eating house component; and*
 - (c) *408 square metres of gross floor area for the office component;*

An increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;
- (ii) *doors, windows and adjacent floor areas fronting Oxford and Vincent Streets shall maintain an active and interactive relationship with this street;*
- (iii) *all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;*
- (iv) *the signage shall not have flashing or intermittent lighting; and*
- (v) *all signage shall be kept in a good state of repair, safe, and be non-climbable and free from graffiti for the duration of their display on-site.*

COUNCIL DECISION ITEM 10.1.25

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	Wandina Holdings
Applicant:	J Seaton
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Shop and Ancillary Picture Framing
Use Class:	Shop (Hairdressing and Beauty Salon)
Use Classification:	"P"
Lot Area:	1042 square metres
Access to Right of Way	N/A

BACKGROUND:

20 May 2002 The Town, under delegated authority, conditionally approved change of use from shop to shop and ancillary picture framing in the subject Tenancy 4.

DETAILS:

The proposal involves change of use from shop and ancillary picture framing to shop (hairdressing and beauty salon) and associated signage. Tenancy 4 fronts onto Vincent Street.

The proposed shop (hairdressing salon) at tenancy 4 is called *Joanne Seaton Hair Nails & Beauty*. The proposed business involves all aspects of hairdressing, nail maintenance and beauty. The hours of operation are Monday to Wednesday and Friday 9am until 6pm inclusive, Thursday 9pm until 9pm and Saturday 8am until 5pm. It is anticipated that a maximum of three (3) staff will work and four (4) clients will visit the premises at any one time.

Three signs are proposed, a projecting sign attached to a building, a wall sign and a window sign.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted
Consultation Submissions			
Support	Nil		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car Parking Requirement (nearest whole number)			45 car bays
- Eating House (95 square metres) – 21.11 car bays			
- Shop (Post Office 109 square metres and Joanne Seaton Hair Nails & Beauty - 131 square metres) - 16 car bays			
- Office (408 square metres) – 8.16 car bays			

Apply the adjustment factors <ul style="list-style-type: none"> ▪ 0.80 (within 800 metres of a rail station) ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.80 (within 50 metres of one or more public car parks in excess of 50 spaces) 	(0.544) 24.48 car bays
Minus car parking on-site	7 car bays
Minus the most recently approved on-site parking shortfall, as determined by Council at its Ordinary Meeting 12 April 1999.	35.97 car bays
Resultant surplus	18.49 car bays

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

COMMENTS:

The application was advertised and no written submissions were received during this period.

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.30 No. 7 (Lot 2) Chatsworth Road, Highgate - Proposed Demolition of Existing Single House

Ward:	South	Date:	17 June 2005
Precinct:	Hyde Park; P12	File Ref:	PRO3184; 00/33/2851
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by R Charlesworth on behalf of the owner C Bramuzzo for proposed Demolition of Existing Single House, at No. 7 (Lot 2)Chatsworth Road, Highgate, and as shown on plans stamped 9 May 2005, for the following reasons:

- (i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality by virtue of the demolition of the existing building; and*
- (ii) *the existing place has cultural heritage significance in terms of its aesthetic, historic and representative values.*

COUNCIL DECISION ITEM 10.1.30

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Landowner:	C Bramuzzo
Applicant:	R Charlesworth
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	766 square metres
Access to Right of Way	South side, 5 metres wide, unsealed, Town of Vincent owned with intact private status, lot has implied right of access.

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing dwelling.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No advertising was required for this application			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

A detailed Heritage Assessment is contained in an attachment to this report.

The subject place at No. 7 Chatsworth Road, Highgate is a fine example of a brick and tile Federation Queen Anne bungalow constructed c1910. The place was built on a double block, designed to address both street and side garden and has held a long association with A Blain and Co Picture Framers whom operated their business from the subject place between c1910 and 1921. Once the business relocated to No. 448 Beaufort Street, Mr Blain continued to reside at the place until c1950.

The overall form of the building is intact with the wooden floorboards, architraves, vents and skirting boards remaining in situ throughout the house. With the exception of the lookout and the replacement of the roof, the significant fabric of the place has undergone few alterations.

The place is considered to have *some aesthetic value* as a good example of a Federation Queen Anne bungalow, as well as in terms of its contribution to a streetscape of Federation Style residences along Chatsworth Road, from the late nineteenth to the early twentieth century.

Built c1910 the place is considered to have *some historic value* in terms of its contribution to a street that was almost entirely developed during the Gold Rush Period (1891 - 1919).

The place is representative of the pattern and style of development that occurred in Perth during the late nineteenth and early twentieth century.

In light of the above, it is recommended that the application for the demolition of the existing dwelling be refused.

10.1.33 Planning and Building Policies - Amendment No. 22 Relating to Minor Nature Development Policy

Ward:	Both	Date:	17 June 2005
Precinct:	All	File Ref:	PLA0155
Attachments:	001		
Reporting Officer(s):	C Mooney		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the final version of the Amended Policy relating to Minor Nature Development, as shown in Attachment 10.1.33, resulting from the advertised version having been reviewed and regard to no written submissions received during the formal advertising period, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final version of the Amended Policy relating to Minor Nature Development, as shown in Attachment 10.1.33; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final version of the adopted Policy relating to Minor Nature Development, as shown in Attachment 10.1.33, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1.*

COUNCIL DECISION ITEM 10.1.33

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the final version of the amended Policy relating to Minor Nature Development, and seek final adoption.

BACKGROUND:

The Council at its Ordinary Meeting held on 27 March 2001 resolved to adopt the Planning and Building Policy Manual dated 2001 with some amendments.

The Council at its Ordinary Meeting held on 26 April 2005 resolved the following:

“That the Council;

- (i) *RECEIVES the draft amended version of the Policy relating to Minor Nature Development, as shown in Attachment 001;*
- (ii) *ADOPTS the draft amended version of the Policy relating to Minor Nature Development, to be applied to those planning and building applications received after the date of formal adoption of the draft amended Policy;” and*

- (iii) *ADVERTISES the draft amended version of the Policy relating to Minor Nature Development for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
- (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission;*
- (iv) *after the expiry of the period for submissions:*
- (a) *reviews the draft amended version of the Policy relating to Minor Nature Development, having regard to any written submissions; and*
 - (b) *determines the draft amended version of the Policy relating to Minor Nature Development, with or without amendment, to or not to proceed with them; and*
- (v) *AMENDS the draft amended version of the Policy relating to Minor Nature Development as shown in the Attachment, by amending clause 2)(xviii) as follows; prior to clauses (i), (ii), (iii), and (iv) above, being actioned:*
- “2) (xviii) home occupations that:*
- a) does not entail the retail sale, display or hire of goods of any nature;*
 - b) does not cause injury to or prejudicially affect the amenity of the immediate area;*
 - c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;*
 - d) does not entail employment of any other person;*
 - e) does not occupy an area greater than 20 square metres;*
 - f) does not display a sign exceeding 0.2 square metre in area;*
 - g) does not attract customers or regular and frequent deliveries of goods or equipment to the site;*
 - h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;*
 - i) does not entail the presence, parking and garaging of a vehicle of more than one (1) tonne tare weight;*
 - j) does not involve the servicing or repair for gain of motor vehicles; and*
 - k) in the opinion of the Town is compatible with the principal uses to which land in the zone in which it is located may be put”.*

CONSULTATION/ADVERTISING:

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

Advertising of the amended Policy concluded on 14 June 2005. No submissions were received relating to Minor Nature Development.

DETAILS:

One further amendment has been made to those amendments resolved at the Ordinary Meeting of Council held on 26 April 2005.

The Town's Officers have inserted an additional clause (clause xviv), to the amended Policy relating to alfresco blinds (on approved alfresco dining premises) used for weather protection. Clause xviv, states the following:

- “xviv) Alfresco Blinds on approved premises with Alfresco Dining Licences used for the purpose of outdoor weather protection provided that they:*
- a) are non-reflective, transparent and lightweight in appearance and do not have the visual or apparent effect of enclosing public space;*
 - b) are removed from public areas at the close of business each day;*
 - c) do not hinder use of public areas during and after trading hours; and*
 - d) do not cause injury to or prejudicially affect the amenity of the immediate area;”*

This will enable clearer direction for the Town Officers in regard to assessment and the ability for owners /occupiers of approved alfresco dining premises to install weather protection blinds, provided that they are transparent , non-reflective and lightweight in appearance and do not hinder use of public areas during and after trading hours. It is considered that this provision will have no undue and adverse impact on the Town.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 - Key Result Area One: Environment and Infrastructure:
"1.3 Develop, implement and promote sustainable urban design."

FINANCIAL/BUDGET IMPLICATIONS:

The current 2004/2005 Budget lists \$62,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

In light of the above, it is recommended that the Council receives, adopts and proceeds with final advertising of the amended Policy, in line with the Officer Recommendation.

10.2.1 Roads to Recovery Program - 2005/2006 to 2008/2009

Ward:	Both	Date:	21 June 2005
Precinct:	All	File Ref:	TES0174
Attachments:	001;		
Reporting Officer(s):	R Lotznicher, C Economo		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the report of the New Roads to Recovery Program - 2005/2006 to 2008/2009;
- (ii) **APPROVES** the four (4) year Roads to Recovery Program as outlined on attachment 10.2.1; and
- (iii) **RECEIVES** a further report should the Town's program allocation be changed when the formal Roads to Recovery legislation has been passed by the Australian Government.

COUNCIL DECISION ITEM 10.2.1

Moved Cr Torre, **Seconded** Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the new four (4) year Roads to Recovery Program and requests that the Council endorses the attached four (4) year program.

BACKGROUND:

The current four (4) year Roads to Recovery (R2R) program which commenced in 2001/2002 is due to expire this financial year 2004/2005.

The Town has received approximately \$656,000 through the existing R2R program and carried out infrastructure improvements to 23 roads.

A report was presented to the Ordinary Meeting of Council held on 23 March 2004, where the following resolution was adopted:

“That the Council;

- (i) **RECEIVES** the report of the Roads to Recovery Program - Status Report/Additional Projects;
- (ii) **APPROVES** the implementation of the additional projects in 2003/2004 as outlined in the report, to be funded from the Roads to Recovery Program; and

- (iii) *RECEIVES a further report once the Town's new annual Roads to Recovery allocation beyond 2005 has been determined."*

DETAILS:

Existing Roads to Recovery Program

The Australian Government introduced the R2R program on 1 January 2001 to address the problem that much of the Local Government (LGs) road infrastructure in Australia was about to reach the end of its useful life and its replacement was beyond the capacity of most LGs.

The R2R Program expires on 30 June 2005 and has operated since the relevant legislation became law on 21 December 2000 and has provided for \$1.2 billion in Australian Government funding to 720 LGs throughout Australia.

The R2R Program operated uniformly across Australia with each LG guaranteed a share of the total. It was enshrined in legislation with funds being paid directly from the Australian Government to each council under simple administrative procedures, whereby funding decisions were made locally and reported to the Government. Much of the administration was via the Internet.

Extension of Roads to Recovery Program to June 2009

On 22 January 2004 the Town was advised that the R2R Program would not end in 2005, when current legislation expired, but would continue under expanded guidelines to 30 June 2009 and that all LGs would be eligible for additional funds from the program until that date.

Determination of LG's share of Roads to Recovery funding

The R2R Program funds urban and regional roads that are the responsibility of LGs. The allocation for each State and Territory is based on a formula using population, road length and historic road funding allocations.

LGs receive their share of their state allocation according to an assessment made by the Local Government Grants Commission in each State of each LG's relative needs for local road expenditure and to preserve its local road assets.

Projects eligible under the program

Maintenance or improvements, sealing or new construction along any local road qualifies for R2R funding. A local road is a road controlled by a LG, not a state or territory government, or the Australian Government (as in the case of the National Highway interstate network).

New Roads to Recovery Program - 2005/2006 to 2008/2009

On 10 May 2005 the Town received a letter from the Federal Minister for Transport and Regional Services advising as follows:

"In January 2004, I announced that the Government would extend the highly successful Roads to Recovery Programme for a further four years from 1 July 2005. I am writing now to advise of your Council's proposed allocation for that period. A total of \$180 million has been allocated to your state, the same as in the present programme.

This amount will be divided between the councils in the state on the basis of the 2004/05 recommendations of the Local Government Grants Commission for the roads component of the Financial Assistance Grants.

Your Council's proposed allocation for the life of the programme will be \$612,450 and your 2005/06 allocation will be one quarter of this. Subject to the passage of legislation, these funds will be available from 1 July 2005 under conditions broadly similar to those applying in the present programme. In particular, councils will be free to decide the projects to be funded under the Programme, as they are now. The formal programme funding conditions will be provided to you when they have been finalised."

Town of Vincent Proposed four (4) year program

With the 2004/2005 financial year drawing to a close, the Department has requested that officers prepare a four (4) year program. As the program is mainly administered via email, the program once endorsed by the Council needs to be entered as a "works schedule" onto the R2R secure web site.

The proposed four year program is attached.

CONSULTATION/ADVERTISING:

Once adopted, the works which include mainly road resurfacing and upgrade, will be listed in the Capital Works Schedule (which will be adopted by the Council). Residents in each street will then be advised of the infrastructure upgrade proposal via a works bulletin.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"b) Continue to develop, enhance and implement annual footpath, rights of way, road rehabilitation and upgrade programs."*

FINANCIAL/BUDGET IMPLICATIONS:

The Town's proposed allocation for the life of the programme will be \$612,450 and the 2005/2006 allocation will be one quarter of this or \$153,112.50.

Funds for the programme have been included in the 2005/2006 draft budget.

COMMENTS:

It is considered that the extension of the Roads to Recovery Program until 2009 is "good news" for the Town, as it will allow over \$600,000 to be expended on the road infrastructure without impacting on the municipal rates. This amount included with the current road expenditure will assist in maintaining the Town's road infrastructure (with an estimated replacement value of over \$60m) to an acceptable level of service

It is therefore recommended that the Council approves the four (4) year Roads to Recovery Program as outlined on attachment 10.2.1 and receives a further report should the Town's program allocation be changed when the formal Roads to Recovery legislation has been passed by the Australian Government.

10.2.3 Proposed Traffic Management – View Street

Ward:	Both	Date:	22 June 2005
Precinct:	Smith's Lake P6	File Ref:	TES0551
Attachments:	001;		
Reporting Officer(s):	R Lotznicher, C Wilson		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Traffic Management - View Street;*
- (ii) *APPROVES IN PRINCIPLE the proposal as outlined on attached Plan No 2350-CP-1;*
- (iii) *CONSULTS with residents in View Street giving them 21 days to provide a response; and*
- (iv) *RECEIVES a further report on the matter at the conclusion of the consultation period should any adverse comments be received.*

COUNCIL DECISION ITEM 10.2.3

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council on the outcome of the Local Area Traffic Management (LATM) Advisory Group meeting held on 30 May 2005 where the View Street traffic management proposal was discussed.

BACKGROUND:

The LATM Advisory Group meets monthly to consider requests received by the Town relating to Traffic and related safety issues. The Group considers these requests and, where warranted, the Group's recommendations are reported to the Council.

At the ordinary Meeting of Council held on 12 April 2005 various traffic matters were considered by the Council where the following decision was made:

“That the Council;

- (i) *RECEIVES the report on Traffic Management - Various Matters;*
- (ii) *REFERS the following nine (9) traffic matters, as listed below and detailed in the report, to the Town's Local Area Traffic Management Advisory Group for their consideration;*
 - (a) *Anzac Rd - Traffic calming;*
 - (b) *Fairfield St - Safety improvements north of Scarborough Bch Rd;*

- (c) *Lincoln / Wright Sts - Through traffic;*
 - (d) *Smith St - Embayed parking / traffic calming;*
 - (e) *Claverton and Alfonso St - Traffic calming;*
 - (f) *View St - Road narrowing, streetscape improvements;*
 - (g) *Lacey St - Parking and traffic Issues;*
 - (h) *Road Safety messages on Mobile Garbage Bins (MGBs);*
 - (i) *Lincoln St - Lord St to Smith St; and*
- (iii) *RECEIVES a further report on each of the matters listed following consideration by the Town's Local Area Traffic Management Advisory Group."*

DETAILS:

The following information was presented to the Ordinary meeting of Council held on 12 April 2005:

“6. View St - Road Narrowing, Safety Improvements

Section: Charles to Leake
Request: Safety improvements
Posted Speed: 50 kph
Traffic Data (2001-2002 data)

<i>Section</i>	<i>Volume (vpd)</i>	<i>85% Speed (kph)</i>
• <i>Charles - Vine</i>	2,258	49
• <i>Vine - Persimmon</i>	2,690	59
• <i>Persimmon - Leake</i>	2,133	63

Classification: Local Distributor
Budget: N/A
Comments: View St is 10.0m wide and grades from Leake St to Charles St. Due to the geometry of the street, the 85% speed of vehicles travelling west are above the posted speed. Residents have indicated that the geometry of the road (grade and width) make it difficult to cross at times.”

Local Area Traffic Management Advisory Group Meeting - 30 May 2005

The group was advised that the item had come about as a result of a request from residents to improve pedestrian safety when crossing to the North Perth Primary School, Multi-cultural Gardens and local delicatessen. Further, if possible, reduce and slow the traffic.

However, as with Anzac Road, View Street is a Local Distributor and carries in the order of 2,300 vehicles per day between Charles and Leake Streets, rising to 3,000 vehicles per day between Woodville and Fitzgerald Streets. The 85% speed varied from a low of approximately 40kph approaching either end to a high of 63kph between Vine and Leake Streets.

As the section Leake Street to Fitzgerald Street is dominated by commercial and retail land use, and already had traffic calming measures in place (restricting the 85% speed to 38.5kph adjacent the shopping centre), the Group agreed that that section should be excluded from the discussion.

Two potential treatments were outlined, with the first unlikely to get the residents' support.

Option 1.

Installation of a continuous painted median down the centre of the road linking strategically located islands adjacent to the intersections and further enhanced by planting of median trees.

Option 2.

Introduction of a "York Street" treatment by installing a series of nibs adjacent to each intersection to provide embayed parking, linked by line-marking to reduce the width of the carriageway.

It was considered that while Option 1 was aesthetically more appealing, there was insufficient width of carriageway to retain kerbside parking and therefore it was highly unlikely to be supported by the residents. Further, given the number of crossovers, it would make even spacing of trees extremely difficult.

Option 2, on the other hand, could be accommodated without impinging upon the on-road parking and it was considered could achieve the desired results. The 'narrowing' of the carriageway changes the driver perception of the road environment, resulting in lower speeds, while the nibs reduce the width of carriageway for pedestrians to cross.

Conclusion / recommendation

The Group agreed that Option 2 was the preferred option. Further, if the new data had not changed significantly (from that of 2001) then it would be appropriate to take a report directly to Council outlining the aforementioned Option 2 and recommending further public consultation. If there had been a significant change (either up or down) then the item could be brought back to the Group for further consideration.

Additional Data

As agreed by the Group, classifiers were redeployed along View Street at the following locations in June 2005:

Section	Volume (vpd)	85% Speed (kph)
• Vine - Persimmon	2,409	59
• Persimmon - Leake	2,395	59

The results indicate that the volumes and speeds, while having changed slightly, are still reasonably consistent with the previous recorded data.

CONSULTATION/ADVERTISING:

Consultation with View Street residents will be undertaken and they will be given 21 days to provide their comments.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “o) *Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group.*”

FINANCIAL/BUDGET IMPLICATIONS:

No	Traffic matter	Funds 2004/2005	Funds Listed draft 2005/2006
6	View St - road narrowing, streetscape improvements	nil	\$45,000

COMMENTS:

The Town receives many requests for Traffic Management from time to time. Most requests received are addressed by the officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. Other matters are referred to the Police Services for enforcement of the legal speed limit.

Following discussion at the LATM Advisory Group meeting, it is recommended that the Council approves, in principle, the proposal as outlined on attached Plan No. 2350-CP-1, consults with residents in View Street giving them 21 days to provide a response and receives a further report on the matter at the conclusion of the consultation period should any adverse comments be received.

10.2.4 Tender No 317/05 - Supply of One (1) 7.5- 9 Tonne Tip Truck with Five metre Mounted Crane

Ward:	Both	Date:	22 June 2005
Precinct:	All	File Ref:	TEN0325
Attachments:	-		
Reporting Officer(s):	R Lotznicher, C Economo		
Checked/Endorsed by:	M Rootsey	Amended by:	-

OFFICER RECOMMENDATION:

That the Council ACCEPTS the tender submitted by WA Hino Sales & Service for the Supply of a 7.5 - 9 Tonne Tip Truck with five metre mounted crane at a cost of \$103,794 (after trade-in) in accordance with the specifications as detailed in Tender No 317/05.

COUNCIL DECISION ITEM 10.2.4

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

To seek Council's approval to award the tender for the 7.5 - 9 Tonne Tip Truck to the preferred tenderer.

BACKGROUND:

Tenders closed on Wednesday 11 May 2005 for the Supply of one (1) 7.5 -9 Tonne Tip Truck with five metre mounted crane complete and four (4) tenders were received.

DETAILS:

The tender submitted by Smith Broughton & Sons was for the outright purchase of the existing trade vehicle (Isuzu FSR tip truck). This tender was not considered further as the trade in price was not the highest price submitted.

Details of all submissions received for Tender 317/05 are as follows (*Incl GST*): -

Supply of new vehicle including trade:

Description	W.A Hino Sales & Service	Skipper Trucks	Major Motors Pty Ltd
Make / Model	Hino Ranger J08C-UK	Mitsubishi 'Fuso' Fighter 10.0	Isuzu FVD 950
Tendered Price	\$155,794.00	\$159,137.00	\$167,486.00
Trade-in (Isuzu FSR tip truck)	\$52,000.00	\$48,007.00	\$38,500.00
Total Price	\$103,794.00	\$111,133.00	\$128,986.00

An evaluation panel consisting of the Executive Manager Technical Services and Co-ordinator Engineering Services assessed the conforming tenders using the selection criteria in accordance with the follows table:

Factor	Weighting	Evaluation Criteria
Mandatory Product Feature	25%	Product features essential to undertake required function. Specification conformance. Response and Detail to Specification
Special Facilities	20%	Ease of vehicle servicing. Availability of spare parts. Number of technical support staff available.
Price Tender	20%	The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the Town's discretion
Life Cycle Costs	15%	Service/maintenance costs
Operators Ergonomics	10%	East of operation/controls. Operator comfort
Warranty	5%	Assessed on performance. Warranty period offered
Delivery	5%	Required in eight (8) weeks

Tenderers were required to address all of the above criteria separately, comprehensively and in the order listed above in their submission.

Selection Criteria

	Weighting %	W.A Hino Sales & Service <i>Hino Ranger J08C-UK</i>	Skipper Trucks <i>Mitsubishi 'Fuso' Fighter</i>	Major Motors Pty Ltd <i>Isuzu FVD 950</i>
Mandatory Product Feature	25	25	0	25
Special Facilities	20	15	18	18
Price Tender	20	20	18.86	16.09
Life Cycle Costs	15	15	15	15
Operators Ergonomics	10	10	9	10
Warranty	5	5	4	5
Delivery	5	5	5	5
Total	100	95	69.86	94.09

As indicated in their tender submission (alternative tender), Skipper Trucks have not provided features essential to undertake the required function, i.e. specification for engine capacity to be greater than 190kw. Skipper Trucks have provided a vehicle with only 177kw engine capacity and therefore have not complied with this mandatory requirement.

WA Hino Sales and Service and Major Motors have both complied with the specified requirements as outlined in the tender.

WA Hino Sales and Service have submitted the most competitive tender and highest trade price. All tenderers have included the crane unit which complies with the required specification.

CONSULTATION/ADVERTISING:

N/A

LEGAL AND POLICY:

The tender was advertised in accordance with the Local Government Act, Tender Regulations.

STRATEGIC IMPLICATIONS:

Although not directly affiliated with a key result area, this would fall in the general category of Key Results Area One of Strategic Plan 2005-2-10 - 1.4 Maintain and Enhance the Town's Infrastructure to Provide a Safe, Healthy, Sustainable and Functional Environment. " c) *Continue to design and implement infrastructure improvements for public open space.*"

FINANCIAL/BUDGET IMPLICATIONS:

Sufficient funds have been allocated as part of the 2003/2004 budget for replacement of this item of plant.

COMMENTS:

All three (3) vehicles are suitable for the tasks required, however, the Mitsubishi's engine output was below specification.

The Isuzu truck was considered suited to the tasks required, having a greater load capacity and a more powerful engine.

However, following the evaluation process, the Hino truck was considered to be best value and complied with the specifications.

The Town currently operates two (2) Hino's, namely the street sweeper and a waste management truck.

It is therefore recommended that the tender submitted by WA Hino Sales and Service for the supply of an 8-10 Tonne Single Cab Tip Truck, in accordance with the specifications as detailed in Tender No 283/04, be approved.

10.3.3 Authorisation of Expenditure for the period 1 May - 31 May 2005

Ward:	Both	Date:	10 June 2005
Precinct:	All	File Ref:	FIN005
Attachments:	001		
Reporting Officer(s):	Gee Wong		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) Schedule of Accounts for the period 1 May 2005 - 31 May 2005 and the list of payments;*
- (ii) direct lodgement of payroll payments to the personal bank account of employees;*
- (iii) direct lodgement of PAYG taxes to the Australian Taxation Office;*
- (iv) direct lodgement of Child Support to the Australian Taxation Office;*
- (v) direct lodgement of creditors payments to the individual bank accounts of creditors; and*
- (vi) direct lodgement of Superannuation to Local Government and City of Perth superannuation plans.*

as shown in Appendix 10.3.3.

COUNCIL DECISION ITEM 10.3.3

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

DECLARATION OF INTEREST

Members/ Officers	Voucher	Extent of Interest
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Nil.

PURPOSE OF REPORT:

To present the schedule of accounts and list of payments for the period 1 May 2005 - 31 May 2005.

BACKGROUND:

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

DETAILS:

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

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Town of Vincent Advance Account	EFT	\$2,152,155.93
Total Municipal Account		\$2,152,155.93
Advance Account		
Automatic Cheques	51692-51999	\$633,163.91
Manual Cheques	61401	\$2,503.14
Transfer of Creditors by EFT Batch 382-390		\$611,427.43
Transfer of PAYG Tax by EFT	May 2005	\$70,891.15
Transfer of GST by EFT	May 2005	\$0.00
Transfer of Child Support by EFT	May 2005	\$259.72
Transfer of Superannuation by EFT City of Perth	May 2005	\$42,024.36
Local Government	May 2005	\$108,797.21
Total Advance Account		\$1,469,066.92
Transfer of Payroll by EFT	May 2005	\$716,629.61

Bank Charges & Other Direct Debits

Bank Charges – CBA	\$2,257.67
Lease Fees	\$1,707.04
Corporate Master Cards	\$4,839.62
Australia Post Lease Equipment	\$251.61
2 Way Rental	\$3,259.24
Loan Repayment	\$30,835.13
Rejection Fees	\$40.00
ATM Rebate	\$303.86
Bank/refund fees & Suspense Clearance	\$4.16
Total Bank Charges & Other Direct Debits	\$43,498.33

Less GST effect on Advance Account **\$0.00**

Total Payments **\$4,381,350.79**

STRATEGIC IMPLICATIONS:

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

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

ADVERTISING/CONSULTATION:

Nil.

COMMENT:

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

10.3.4 Adoption of the Loftus Recreation Centre Business Plan 2005/2006

Ward:	South	Date:	9 June 2005
Precinct:	Oxford Centre	File Ref:	ORG0053
Attachments:	-		
Reporting Officer(s):	M Rootsey		
Checked/Endorsed by:	J Giorgi	Amended by:	

OFFICER RECOMMENDATION:

That the Council ADOPTS the Loftus Recreation Centre Business Plan for the period 1 July 2005 to 30 June 2006 as "Laid on the Table", on a Confidential basis.

COUNCIL DECISION ITEM 10.3.4

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

To present the Loftus Recreation Centre Business Plan for 2005/2006 for adoption.

BACKGROUND:

The management of the Loftus Recreation Centre was tendered in 2001 with the tender awarded to LeisureCo Pty Ltd Australia, the incumbent manager for the Centre through the Vincent Community Recreation Association for a further five (5) year period. This agreement expires in September 2006.

As part of its management practices, Leisure Australia and VCRA are required to prepare a Business Plan for the Centre each year.

DETAILS:

The Board of VCRA (which includes Councillor Lake as Chairperson, with Cr Maier as Deputy, the Chief Executive Officer and Executive Manager, Corporate Services as well as three (3) Leisure Australia nominees) recently adopted a Business Plan for 2005/2006 at its Board meeting of 25 May 2005 for the Centre. A copy of that Plan is "Laid on the table" on a confidential basis as it contains commercial - in confidence information.

The Business Plan includes a detailed set of goals and targets for the various components of the Centre being facilities, services, organisation, promotion and finance. The Plan indicates a forecast revenue of \$1,638,449 and costs of \$1,536,834 for an estimated gross surplus of approximately \$101,615 to be achieved after rent of \$103,000 and sinking fund contribution of \$43,000 and a net surplus of \$14,331 following the deduction of non operating expenses and income.

Under the current lease contract, any surplus up to the level specified in the five (5) year forecast is to be paid to the VCRA to be held as working capital and for the future equipment purchases and business cash flow support. Further surplus in excess of the above are to be shared by Leisure Co and the VCRA in the order of 50%.

To achieve the goals and targets planned the following is proposed. The fee structure on which these goals are set is included on pages 20 and 21 of the Plan. It is proposed to spend approximately \$81,000 on Capital maintenance items to be funded from the sinking fund as specified on page 27 of the Plan. Estimated Capital expenditure of \$47,000 is to be funded from retained funds held by the VCRA.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The Centre is managed under a lease agreement between LeisureCo Pty Ltd Australia and the Town of Vincent.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010, Key Result Area 2 - Community Development

"2.2 Provide and develop a range of community programs and community safety initiatives.

(k) Enhancing the lifestyle of the community through the provision of leisure opportunities."

FINANCIAL/BUDGET IMPLICATIONS:

The estimated revenue received from the Centre has been included in the 2005/06 Draft Annual Budget. The revenue is included in the Loftus Centre cost centre with the amount of \$43,000 transferred to Loftus Centre Revenue Fund for future major maintenance and capital works.

COMMENTS:

The Business Plan also provides details of market research, a priority and progress report and an evaluation of the Centre including a strengths, weakness, opportunity and threat (SWOT) analysis. The Plan is a comprehensive document and a basis on which the Centre should be operated for 2005/2006 and is recommended for adoption.

10.3.6 Cultural Development Seeding Grant Application

Ward:	Both	Date:	22 June 2005
Precinct:	All	File Ref:	CMS0008
Attachments:	-		
Reporting Officer(s):	J.Anthony		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES the application of Mt Hawthorn Primary School P & C Association for \$1,000 under the Cultural Development Seeding Grant Programme subject to the conditions listed in the report.

COUNCIL DECISION ITEM 10.3.6

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

To seek approval to grant funding under the Cultural Development Seeding Grant Programme to the Mount Hawthorn Primary School P&C Association.

DETAILS:

The Mt Hawthorn Primary School P & C Association have requested support from the Town to provide free entertainment for patrons attending their annual Community Fair on Sunday 6 November 2005. The fair is a family and community event to showcase the school and its facilities and will feature a variety of stalls and activities for all ages with an open invitation to the community.

The funding will go towards entertainment costs and provision of a marquee and dance floor.

Funding will be conditional on the following:

1. A full budget for the event to be submitted at least two (2) months prior to the actual event;
2. The sponsorship funds should be expended in keeping with ethical conduct and practices;
3. The Town of Vincent must be acknowledged in associated publicity and promotional material with the Town's Logo displayed appropriately;
4. Event organisers must liaise with relevant Council officers before proceeding to use the Town's Logo or material;

5. Upon completion of the sponsored event, a report outlining the outcomes of the event, publicity/promotion and how the sponsorship monies were expended must be submitted to Council no more than 30 (thirty) days after the event;
6. The event organisers must take out and hold current a policy of insurance for Public Liability for an amount of not less than \$10,000,000 (ten million dollars) for any one event. A copy of the current certificate is to be provided to Council at least 10 (ten) days before the commencement of the event; and
7. The events must not promote smoking, alcohol, any use of illicit substances and/or adult "R" rated entertainment.

STRATEGIC IMPLICATIONS:

The Cultural Seeding Grants and the submitted application address the following section of the Town's Strategic Plan-Amended 2005-2010:

- 2.1 Celebrate and acknowledge the Town's cultural diversity.

"(a) Develop, financially support, promote and organise community events and initiatives (including those generated by community groups) that engage the community and celebrate the cultural diversity of the Town."

FINANCIAL/BUDGET IMPLICATIONS:

The 2004/05 budget includes \$5,000 for the Cultural Development Seeding Grant Programme of which \$1,045 remains unallocated.

COMMENTS:

The application meets the criteria for the Cultural Seeding Grants. The organisers have met with officers prior to the event and officers will continue to support the organisers in accessing appropriate resources for the event.

10.3.7 Community and Welfare Grants and Donations 2005/2006

Ward:	Both	Date:	25 May 2005
Precinct:	All	File Ref:	FIN0133
Attachments:	-		
Reporting Officer(s):	A Bateman		
Checked/Endorsed by:	J Anthony/ M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES payment of the following grants and donations to the organisations listed below subject to the adoption of the 2005/2006 Annual Budget:*

<i>ANAWIM.</i>	<i>\$1200.00</i>
<i>Carers WA</i>	<i>\$2000.00</i>
<i>Catholic Migrant Centre</i>	<i>\$2000.00</i>
<i>Ethnic Child Care Resource Unit</i>	<i>\$1500.00</i>
<i>Ethnic Communities Council</i>	<i>\$2000.00</i>
<i>Fifth Greek Orthodox (Greek Welfare)</i>	<i>\$3000.00</i>
<i>Mental Health Law Centre</i>	<i>\$2000.00</i>
<i>Multicultural Services Centre of WA Inc.</i>	<i>\$3000.00</i>
<i>Passages Resource Centre</i>	<i>\$2500.00</i>
<i>People Who Care</i>	<i>\$5000.00</i>
<i>Playgroups</i>	<i>\$2500.00</i>
<i>Ruah Refuge</i>	<i>\$1500.00</i>
<i>St Vincent de Paul Society</i>	<i>\$2000.00</i>
<i>Salvation Army</i>	<i>\$3000.00</i>
<i>Toy Libraries</i>	<i>\$1500.00</i>
<i>Volunteer Task Force</i>	<i>\$4000.00</i>
<i>WA AIDS Council</i>	<i>\$2000.00</i>
<i>Welfare Rights and Advocacy Service</i>	<i>\$1000.00</i>
<i>Women's Health Care House</i>	<i>\$1000.00</i>
<i>Sundry Donations</i>	<i>\$6,300.00</i>
TOTAL	\$49,000.00;

- (ii) *APPROVES an amount of \$30,000 to be provided to the Loftus Community Centre for the 2005/2006 financial year;*
- (iii) *AUTHORISES the Chief Executive Officer to incorporate the funding in (ii) into the lease agreement with the Loftus Community Centre;*
- (iv) *APPROVES an amount of \$12,000 to be provided to Rosewood Care Group for the 2005/2006 financial year; and*
- (v) *AUTHORISES the Chief Executive Officer to establish a separate recurrent funding agreement with Rosewood Care Group.*

COUNCIL DECISION ITEM 10.3.7

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT

To seek the Council's approval of the organisations recommended to receive Community and Welfare Grants and Donations in the 2005/2006 Budget year.

BACKGROUND:

Community and Welfare Grants and Donations 2005/2006

The Town of Vincent established the Community and Welfare Grants and Donations Scheme to provide financial assistance to individuals who are disadvantaged and/or in crisis and non-profit community groups and organisations providing community and welfare services to Town of Vincent residents.

In January of each year, not-for-profit organisations providing community and welfare services to Town of Vincent residents may apply for a grant of up to \$15,000.00 to assist with the delivery of a particular service or program. Funds are also set aside under "Sundry Donations" to enable the Town to provide small donations, on an ad hoc basis, to not-for-profit community service providers, not in receipt of an annual grant. Provision has also been made, with funds set aside under "Sundry Donations", to assist individual residents who are disadvantaged and in crisis. In all cases, applications are thoroughly assessed in accordance with set guidelines.

This year special consideration has been given to the way in which the Town continues to assist the Loftus Community Centre and Rosewood Care Group.

The Loftus Community Centre is the only centre of its kind in the Town of Vincent and is well used by local residents. The Town recognises that residents have an expectation that that it will support the operation of a community centre where families and individuals can access a range of services and supports such as a toy library, playgroup and lifestyle courses. For the past 10 years the Town has provided the Loftus Community Centre with \$15,000 toward its running costs through the Community and Welfare Grants scheme. This is the maximum level of assistance available under this scheme. In recent years the centre's costs have increased dramatically and they are finding it difficult to provide the full range of services and programs desired by the community. To enable them to continue meeting the demands of local residents, they have requested that the Town increase the amount of funding it provides each year. It is not possible to meet this request under the current guidelines for Community and Welfare Grants. It is therefore proposed that the Town provides funding to the Centre in a separate agreement as part of their lease.

It is also proposed that the Town continue to fund Rosewood Care Group to provide meals on wheels through a separate recurrent funding agreement that will enable future increases in funding to a level that may be above \$15,000.

In accordance with the Community and Welfare Grants and Donations Guidelines, the scheme was advertised in four editions of two local papers during the month of January inviting applications for funding which resulted in 21 applications.

Each application has been rated on a standard scale against a standard set of criteria. The ratings scale is shown below:

Criteria	Weighting
Adherence to policy guidelines	30%
Benefit to Town of Vincent residents	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%
	100%

DETAILS

A summary of the applications and their ratings is shown on the following pages:

Applications recommended for funding:

Organisation	ANAWIM
Purpose of Funding	Funds would be used to provide emergency relief to Aboriginal women in the form of transport, clothing, toiletries, first aid supplies, bill payment, medication and food.
Target Group	Aboriginal women escaping domestic, family or social violence.
Services Provided by the Organisation	Accommodation to Aboriginal women escaping domestic, family or social violence. Karlamia Night Shelter provides "sobering up" facilities for women who are intoxicated. Karliamia Day Centre provides advocacy, support and referral services to Aboriginal women on a non-residential basis.
Incorporated	Yes
Number of Vincent Residents Served	2500 women accessed the services provided by this agency last year. The number of Town of Vincent residents using the service is unknown.
Comments	While this service does not directly assist many Town of Vincent residents, it does target women who might otherwise seek refuge in parks such as Birdwood Square. Therefore, providing funding to this organisation may provide a significant indirect benefit to local residents.
Amount Requested	\$1200
Amount Recommended	\$1200

ANAWIM	Raw Score	Weighted Score	%
Adherence to policy guidelines	10	3	30
Benefit to Town of Vincent residents	5	1	10
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	8	0.8	8

Targets vulnerable and disadvantaged groups in the community	10	1	10
A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	58	8.3	83%

Organisation	Carers WA
Purpose of Funding	To provide social events for family carers living in the Town of Vincent who are socially isolated due to their caring roles and who would otherwise be unable to afford to attend such events. Funds would be used for the hire of facilities, transport and promotion of the program. Over the past three years, Carers WA has developed a social support program called "Linking Together" to aid carers living in and around the Town of Vincent. Groups of carers meet each month at local cafes, parks and halls to socialise with one another.
Target Group	Any adult person caring for a family member or friend, who has a disability, chronic or mental illness, is frail aged living in WA.
Services Provided by the Organisation	Carers WA provide information, resources, support, counselling and referrals for Family Cares.
Proportion of Vincent Residents Serviced by the Program	80% of the carers accessing the Carers Social Support Program live within the Town of Vincent. 3200 clients used the full range of services provided by Carers WA last year. 270 of these clients live within the Town of Vincent.
Incorporated	Yes
Comments	This program will specifically benefit carers living in the Town of Vincent.
Amount Requested	\$2,000
Amount Recommended	\$2,000

Carers WA	Raw Score	Weighted Score	%
Adherence to policy guidelines	8	2.4	24
Benefit to Town of Vincent residents	8	1.6	16
Financial viability of the project or program	8	0.8	8
Previous grants acquitted satisfactorily	6	0.6	6
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	55	7.9	79%

Organisation	Catholic Migrant Centre
Purpose of Funding	Funds would be used to increase the number of English classes the Catholic Migrant Centre has available for newly arrived migrants and refugees.
Target Group	Newly arrived migrants and refugees.
Services Provided by the Organisation	The Catholic Migrant Centre provides settlement services to newly arrived migrants and refugees in Western Australia. Services include: initial information, orientation and assistance, support advocacy and casework; support for refugee youth; assisting with the settlement needs of newly arrived refugees; employment, training and assistance; immigration advice; pastoral care; family tracing and assistance to former child migrants; community visitors scheme for elderly residents in nursing homes; English classes and emergency relief.
Incorporated	Yes
Proportion of Vincent Residents Serviced by the Program	30-40% of the people participating in existing English classes live within the Town of Vincent. English classes are held weekly and there are twelve participants in each class.
Comments	<p>There are a number of newly arrived migrants and refugees residing in flats in Highgate, Perth, West Perth and Leederville who would benefit from attending the English classes.</p> <p>The level of funding that the Town is able to make available for this project is significantly less than the amount required to make the program financially viable. For this reason, it is recommended that funding from the Town be made conditional on the agency providing written proof that that it has been able to secure the additional funding needed to run the program from within the agency or from another funding body.</p>
Amount Requested	\$14,070
Amount Recommended	\$2000 conditional on the balance of funding for the program being secured from other sources.

Catholic Migrant Centre	Raw Score	Weighted Score	%
Adherence to policy guidelines	8	2.4	24
Benefit to Town of Vincent residents	7	1.4	14
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	10	1	10
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	8	0.8	8
	56	7.9	79%

Organisation	Ethnic Childcare Resource Unit (ECCRU)
Purpose of Funding	<p>The funding would be used for the following activities:</p> <ul style="list-style-type: none"> • Information sessions covering: early development; resources available to parents such as playgroups and toy libraries and current research findings about developmental needs. • Four interactive sessions where parents can learn about stimulating activities they can do with their children at home. • A family fun day encouraging interacting between service providers and families. <p>Funds would be used to cover venue hire, transport, production of resource and display materials and the fees for presenters, activity leaders and crèche workers.</p>
Target Group	Families from non-English speaking backgrounds with children aged from birth to 8 years.
Services Provided by the Organisation	ECCRU provides professional training, resources and advice to Regional Inclusion Teams whose aim is to assist child care centres and other providers of children's services to include children from culturally and linguistically diverse backgrounds, children with disabilities and children from Aboriginal families.
Incorporated	Yes
Proportion of Vincent Residents Serviced by the Program	It is estimated that 15% of the people accessing this program will be Town of Vincent residents.
Comments	<p>Community Development Officers at the Town of Vincent work closely with the Ethnic Child Care Resource Unit in developing and carrying out a number of their activities such as Harmony Week.</p> <p>The level of funding that the Town is able to make available for this project is less than the amount required to make the program financially viable. For this reason, it is recommended that funding from the Town be made conditional on the agency providing written proof that that it has been able to secure the additional funding needed to run the program from within the agency or from another funding body.</p>
Amount Requested	\$2550
Amount Recommended	\$1500 towards information sessions for families. Funding is conditional on the balance of funding for the program being secured from other sources

Ethnic Child Care Resource Unit	Raw Score	Weighted Score	%
Adherence to policy guidelines	7	2.1	21
Benefit to Town of Vincent residents	4	0.8	8
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	7	0.7	7
Targets vulnerable and disadvantaged groups in the community	8	0.8	8
A unique service that meets the needs of the community	6	0.6	6
Demonstrated experience in delivering the service or program	7	0.7	7
TOTAL	46	6.4	64%

Organisation	Ethnic Communities Council WA
Purpose of Funding	The grant would be used to run a series of workshops for young migrants over a period of 24 weeks. The aim of the workshops is to build the skills and capacities of young men and women who show leadership potential. The program will include training on a range of topics including communication and interpersonal skills, leadership, group facilitation, public presentation skills and problem solving. Funds would be used to cover administration, catering costs, facilitator's fees, project coordinators fees, childcare, insurance and venues hire.
Target Group	Young migrants.
Services Provided by the Organisation	Ethnic Communities Council is an organisation concerned with issues relevant to people from non-English speaking backgrounds.
Incorporated	Yes
Number of Vincent Residents Serviced	The program would target young people living in the Town of Vincent.
Comments	The program may benefit young migrants and refugees living in areas such as Highgate, West Perth and Perth. The level of funding that the Town is able to make available for this project is significantly less than the amount required to make the program financially viable. For this reason, it is recommended that funding from the Town be made conditional on the agency providing written proof that that it has been able to secure the additional funding needed to run the program from within the agency or from another funding body.
Amount Requested	\$7,200
Amount Recommended	\$2000 conditional on the balance of funding for the program being secured from other sources.

Ethnic Communities Council	Raw Score	Weighted Score	%
Adherence to policy guidelines	6	1.8	18
Benefit to Town of Vincent residents	5	1.0	10
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	6	0.6	6
Targets vulnerable and disadvantaged groups in the community	8	0.8	8
A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	5	0.5	5
TOTAL	44	6.1	61%

Organisation	Fifth Greek Orthodox Archdiocesan District of WA Welfare Association (GOWA)
Purpose of Funding	<p>Funds would be used to provide the following services:</p> <ul style="list-style-type: none"> • Support including casework, information, referrals and advocacy to disadvantaged families and individuals; • Emergency relief to disadvantaged families, individuals and seniors from all backgrounds; • A volunteer program that provides social support to the frail aged and disabled who are isolated. • A Senior Citizens Group involving transport for social outings and to cultural information and training sessions. <p>Funds would be used to cover the wages of a Community Services Officer, transport, food parcels and translation.</p>
Target Group	The primary target group is disadvantaged Greek and Macedonian speaking families and individuals. The organisation also provides services to the wider community.
Services Provided by the Organisation	<ul style="list-style-type: none"> • Support including casework, information, referrals and advocacy to disadvantaged families and individuals; • Emergency relief to disadvantaged families, individuals and seniors from all backgrounds; • A volunteer program that provides social support to the frail aged and disabled who are isolated. <p>A Senior Citizens Group involving transport for social outings and to cultural information and training sessions.</p>
Incorporated	Yes
Proportion of Vincent Residents Serviced	Approximately 80% of this organisation's clients live within the Town of Vincent. Services were provided to 365 people last year.
Comments	<p>Greek speaking people represent a significant proportion of the Town's residents, in particular those aged over 55 years. This organisation services a large number of Town of Vincent residents in this age group.</p> <p>The organisation has recently had its funding from DIMIA withdrawn as DIMIA are now targeting newly emerging communities. This funding was used to fund the daily operation of the agency and to employ a Community Services Officer to carry out casework and the provision of information.</p>

	The level of funding recommended is significantly less than that requested because the organisation has proposed to use most of the funds provided by the Town to cover salaries. The Town cannot cover the cost of wages and salaries under the existing Community and Welfare Grants Policy.
Amount Requested	\$10, 000
Amount Recommended	\$3,000 towards the cost of providing transport and translations.

Fifth Greek Orthodox Archdiocesan District of WA Welfare Association	Raw Score	Weighted Score	%
Adherence to policy guidelines	5	1.5	15
Benefit to Town of Vincent residents	8	1.6	16
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	6	0.6	6
Targets vulnerable and disadvantaged groups in the community	8	0.8	8
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	50	6.8	68%

Organisation	Mental Health Law Centre
Purpose of Funding	The grant would be used to provide a legal advice service outside the usual office hours for one week during Mental Health Law Week. The evening service would operate between 5 - 7pm for four evenings with two solicitors available for appointments each evening. The service will operate from the Mental Health Law Centre in Brisbane Street, Perth. Funds would be used to cover the solicitor's fees.
Target Group	People disadvantaged due to psychiatric disability and other support services, carers, other legal services and other NGO's.
Services Provided by the Organisation	Legal advice and representation to involuntary patients under the Mental Health Act 1996; Legal advice and representation to mental health consumers in criminal law and guardianship and administration matters; Community Legal education; Law reform and policy; Publications; Website
Incorporated	Yes
Number of Vincent Residents Served	The Mental Health Law Centre provided services to clients in relation to 2610 new matters in 2004/2005. The number of Vincent residents using the service is unknown. 20% of the population, including the Vincent population, will suffer with mental illness.
Comments	People who have a psychiatric disability and are employed find it difficult to attend the service during office hours. The after hours service will target this group of clients.
Amount Requested	\$2,000
Amount Recommended	\$2,000

Mental Health Law Centre	Raw Score	Weighted Score	%
Adherence to policy guidelines	7	2.1	21
Benefit to Town of Vincent residents	7	1.4	14
Financial viability of the project or program	8	0.8	8
Previous grants acquitted satisfactorily	9	0.9	9
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	56	7.7	77%

Organisation	Multicultural Services Centre WA
Purpose of Funding	To assist with the cost of running an after hours legal service based at the Multicultural Services Centre. Funds would be used to cover marketing and promotion of the service, venue hire and transport and costs associated with the coordination of the service.
Target Group	The service is particularly targeted at people from a non-English speaking background.
Services Provided by the Organisation	The MSCWA provides home and aged care; emergency relief; accommodation program; employment, education and training; Personal Support Program; Legal Program; Community Settlement Services Program.
Incorporated	Yes
Proportion of Vincent Residents Served	Approximately 13% In the last financial year 3974 people received services through the Multicultural Services Centre and approximately 500 of these people live within the Town of Vincent. Figures have not been provided specifically with regard to the evening legal service.
Comments	The after hours service has been running for three years. The demand for the service continues to increase.
Amount Requested	\$3,000
Amount Recommended	\$3,000

Multicultural Services Centre WA	Raw Score	Weighted Score	%
Adherence to policy guidelines	6	1.8	18
Benefit to Town of Vincent residents	7	1.4	14
Financial viability of the project or program	8	0.8	8
Previous grants acquitted satisfactorily	7	0.7	7
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	53	7.2	72%

Organisation	Passages Resource Centre
Purpose of Funding	The grant would be used to run a Healthy Cooking Group. This will involve clients learning how to budget, shop and prepare healthy, low cost meals. Funds will be used to purchase fresh and packaged food, hygiene and cleaning products.
Target Group	Street present young people, primarily with issues of homelessness and drug and alcohol misuse.
Services Provided by the Organisation	Services provided by Passages include: <ul style="list-style-type: none"> • Relevant information and referrals • Informal counselling • Non-judgmental hospitality within a safe environment • Laundry, bathroom and kitchen facilities • Telephone, postal and computer access • Clothing vouchers • Medical and personal hygiene products • Life skills programs
Number of Vincent Residents Served	Passages provided services to 1144 clients in 2004. The total number of recorded client contacts (includes repeat clients) is 3841. Due to the transient nature of the clients who use the service, it is difficult to determine the exact number of Town of Vincent residents using the service.
Incorporated	Yes
Comments	Passages provides services to young people who are most disadvantaged, particularly those living on the street. The assistance offered meets very basic and essential needs. The Healthy Cooking Program was initiated in 1999 with the support of the Town of Vincent. It has been running successfully ever since. It was established at the request of the young people accessing the centre.
Amount Requested	\$2,500
Amount Recommended	\$2,500

Passages Resource Centre	Raw Score	Weighted Score	%
Adherence to policy guidelines	7	2.1	21
Benefit to Town of Vincent residents	6	1.2	12
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	10	1.0	10
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	58	7.8	78%

Organisation	People Who Care
Purpose of Funding	To provide gardening, social support and leisure centre services to the frail aged and people with disabilities. A portion of the funds would assist People Who Care to recruit additional volunteers and put in place the necessary infrastructure to enable them to accept an increased number of referrals from the Town of Vincent under the new Transport Assistance Scheme that will come into operation in July 2005.
Target Group	Frail aged and people with disabilities living independently
Services Provided by the Organisation	People who Care provide gardening, transport, Community Visitors Scheme, home maintenance, social outings, a leisure centre for seniors and an OP Shop.
Number of Vincent Residents Served	People who care have 2700 active clients, of which 151 live in the Town of Vincent.
Incorporated	Yes
Comments	Community Development Officers at the Town of Vincent refer a significant number of people to People Who Care each week. There is a very high demand for transport and gardening services in the Town of Vincent. People Who Care have agreed to provide transport to Town of Vincent residents referred by Community Development Officers at the Town under the new Transport Assistance Scheme that will operate after July 2005.
Amount Requested	\$5,000
Amount Recommended	\$5,000 in total \$2,000 to assist with the cost of providing gardening services, social support and leisure activities. \$3000 to assist with the cost of providing transport to Town of Vincent residents referred under the Transport Assistance Scheme.

People Who Care	Raw Score	Weighted Score	%
Adherence to policy guidelines	8	2.4	24
Benefit to Town of Vincent residents	8	1.6	16
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	6	0.6	6
Targets vulnerable and disadvantaged groups in the community	8	0.8	8
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	56	8.0	80%

Organisation	Ruah Refuge
Purpose of Funding	<p>The grant will be used to run a protection program for women at the refuge who have been victims of domestic violence. The program will incorporate self defence training and protective behaviours training to enable women to better protect their children.</p> <p>Funds would be used to cover presenters fees, transport and venue hire.</p>
Target Group	Women and children.
Services Provided by the Organisation	The refuge provides crisis accommodation, advocacy and support to women with children who are escaping domestic violence, or who are homeless due to other life circumstances.
Number of Vincent Residents Served	The refuge provided services to 62 women and 113 children last financial year. They are not able to provide information about the number of Town of Vincent residents who used the service.
Incorporated	Yes
Comments	<p>The program proposed by the refuge is a valuable, however, it is not clear how many Town of Vincent residents will benefit directly from the service. For this reason, the amount recommended is significantly lower than that requested.</p> <p>The level of funding that the Town is able to make available for this project is significantly less than the amount required to make the program financially viable. For this reason, it is recommended that funding from the Town be made conditional on the agency providing written proof that that it has been able to secure the additional funding needed to run the program from within the agency or from another funding body.</p>
Amount Requested	\$5260
Amount Recommended	\$1500 conditional on the balance of funding for the program being secured from other sources

Ruah Refuge	Raw Score	Weighted Score	%
Adherence to policy guidelines	9	2.7	27
Benefit to Town of Vincent residents	3	0.6	6
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	6	0.6	6
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	7	0.7	7
TOTAL	48	6.9	69%

Organisation	St Vincent de Paul Society (WA) Inc
Purpose of Funding	The grant would be used to assist with the cost of running the Emergency Relief Program. Funds would be used to purchase food for food parcels.
Target Group	Individuals, families and seniors who are experiencing difficulties due to unemployment, poverty and family breakdown.
Services Provided by the Organisation	Emergency relief and support, including home visits, food parcels, clothing, essential household items, assistance with utility bills and friendship.
Number of Vincent Residents Served	14% (265 people) of St Vincent de Paul's clients live in North Perth and Highgate.
Incorporated	Yes
Comments	This is a very important service in the community. Community Development Officers at the Town of Vincent receive, on average, 20 calls each year from residents wanting to access the type of services offered by St Vincent de Paul.
Amount Requested	\$2000
Amount Recommended	\$2000

St Vincent de Paul Society	Raw Score	Weighted Score	%
Adherence to policy guidelines	9	2.7	27
Benefit to Town of Vincent residents	7	1.4	14
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	10	1.0	10
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	61	8.6	86%

Organisation	Salvation Army
Purpose of Funding	The Salvation Army would use the funding to service a greater number of clients through the Family Support Service. Services include: <ul style="list-style-type: none"> • Budget Club • Clothing Vouchers • Food Parcels • Food Vouchers • Furniture Vouchers • Household Goods • Life Skills Group • Telstra Vouchers • Bill Payment
Target Group	All members of the community
Services Provided by the Organisation	The Salvation Army provides comprehensive social and religious facilities/service to the community. Family support provides relief through food parcels, clothing and expenses. They also undertake counselling to clients.
Number of Vincent Residents Served	18% of the total number of clients. The amount requested represents 6.2% of the total amount of assistance provided to Town of Vincent residents last year.
Incorporated	Yes
Comments	This is a very important service in the community. Community Development Officers at the Town of Vincent receive, on average, 20 calls each year from residents wanting to access the type of services offered by the Salvation Army. The amount recommended is significantly less than that requested due to the limited funds available under the Community and Welfare Donations Scheme. The reason for this is that the local Salvation Army branch is part of a very large organisation and has greater access to support and resources than some of the smaller organisations who have requested funding from the Town.
Amount Requested	\$8,000
Amount Recommended	\$3,000

	Raw Score	Weighted Score	%
Salvation Army			
Adherence to policy guidelines	8	2.4	24
Benefit to Town of Vincent residents	7	1.4	14
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	8	0.8	8
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	58	8.1	81%

Organisation	Volunteer Task Force
Purpose of Funding	Volunteer Task Force proposes to utilize this grant to support their Gardening and Home Maintenance Program. The funds would be used for: <ul style="list-style-type: none"> • Coordinator's Salary • Training • Telephone costs • Advertisements for volunteers • Volunteer lunches • Volunteer travel/fuel
Target Group	Seniors living in the Town of Vincent.
Services Provided by the Organisation	The agency provides support to people of limited financial, social and physical capacity to enable them to live comfortably and safely within their own home. Services provided by the agency include gardening, home maintenance, social support and domestic assistance.
Incorporated	Yes
Number of Vincent Residents Served	In 2003/4 the agency provided services to 2140 people. 111 of these live within the Town of Vincent. This represents a proportion of 5.2% of services being provided to Town of Vincent residents.
Comments	The amount recommended is less than that requested because the Town cannot provide funding for salaries under the Community and Welfare Grants Guidelines. The services provided by Volunteer Task Force benefit many disadvantaged and socially isolated seniors living in the Town of Vincent. The Town's Community Development Officers regularly make referrals to this agency.
Amount Requested	\$4,475
Amount Recommended	\$4,000

Volunteer Task Force	Raw Score	Weighted Score	%
Adherence to policy guidelines	7	2.1	21
Benefit to Town of Vincent residents	6	1.2	12
Financial viability of the project or program	8	0.8	8
Previous grants acquitted satisfactorily	6	0.6	6
Targets vulnerable and disadvantaged groups in the community	8	0.8	8
A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	50	7.0	70%

Organisation	WA AIDS Council
Purpose of Funding	Funding towards the "HIV Assistance Fund" which provides emergency financial assistance to clients experiencing financial hardship and who are finding it difficult to meet the most basic costs of daily living. The assistance is granted under strict criteria and the funds provided are limited to utilities and food, in order to maintain basic living standards.
Target Group	People living with HIV/AIDS.
Services Provided by the Organisation	The Western Australian AIDS Council is a community-based organisation which provides a diverse range of services to People Living with HIV/AIDS and to the broader community. Services include education, advocacy, support services and health enhancement services.
Incorporated	Yes
Number of Vincent Residents Served	27 clients living in the Town of Vincent used the HIV Assistance Fund Program last year. This figure represents 23% of the total number of clients accessing the program. Clients can access the fund on more than one occasion.
Comments	This organisation provides a large proportion of its services to Vincent residents. Many clients are single and, therefore, not eligible for emergency relief through Family and Children's Services and many other welfare providers. Fear of discrimination regarding their HIV status, limits the services that many people living with HIV/AIDS can access.
Amount Requested	\$2,000
Amount Recommended	\$2,000

WA AIDS Council	Raw Score	Weighted Score	%
Adherence to policy guidelines	9	2.7	27
Benefit to Town of Vincent residents	8	1.6	16
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	8	0.8	8
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	60	8.6	86%

Organisation	Welfare Rights and Advocacy Service
Purpose of Funding	<p>The grant would be used to develop and run a training and information program targeting refuge workers and others who work with women who have experienced interpersonal family violence.</p> <p>The information provided to refuge workers would assist them to help their clients in accessing Centrelink benefits where specialist and detailed knowledge of Centrelink policy and benefits is required.</p> <p>Funds would be used to cover presenter's fees, marketing and promotion and some administrative costs.</p>
Target Group	Refuge workers and their clients.
Services Provided by the Organisation	<p>Provision of a community legal centre offering advice on tenancy, consumer rights, neighbour disputes, legal aid, income support programs, welfare and welfare rights service.</p> <p>Information kits and sessions, community development involving the development of new services and projects</p>
Incorporated	Yes
Number of Vincent Residents Served	19% of clients assisted by the Welfare Rights and Advocacy Service live within the Town of Vincent.
Comments	<p>This unique program will benefit women and children who are staying in refuges, however, there is only one refuge in the Town of Vincent and it is not clear how many Town of Vincent residents will benefit directly from the program.</p> <p>The level of funding that the Town is able to make available for this project is less than the amount required to make the program financially viable. For this reason, it is recommended that funding from the Town be made conditional on the agency providing written proof that that it has been able to secure the additional funding needed to run the program from within the agency or from another funding body.</p>
Amount Requested	\$3,000
Amount Recommended	\$1,000 conditional on the balance of funding for the program being secured from other sources

Welfare Rights and Advocacy Service	Raw Score	Weighted Score	%
Adherence to policy guidelines	6	1.8	18
Benefit to Town of Vincent residents	3	1.2	12
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	9	0.9	9
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	50	7.1	71%

Organisation	Women's Health Care House – Mental Health Community Outreach Project (MHCOP)
Purpose of Funding	<p>Funds would be used to cover the annual cost of entry and attendance for various structured activities at Beatty Park Leisure Centre.</p> <p>The project enables women on low incomes who are using the services of the Community Mental Health Outreach Project to access facilities and exercise programs that would ordinarily be out of their price range. Two social workers accompany the women.</p> <p>Funds would cover entry fees to Beatty Park for 12 months.</p>
Target Group	Women who have a diagnosed mental illness and/or are caring for children that access MHCOP.
Services Provided by the Organisation	<p>The service aims to strengthen the community support networks of women who have a mental illness and enhance their personal coping strategies in order to minimise the stress and disruption of mental illness.</p> <p>MHCOP provides:</p> <ul style="list-style-type: none"> • Individual support and advocacy • Group support and activities • Recreational activities
Incorporated	Yes
Number of Vincent Residents Served	Approximately 55 women and their children accessed the service last year. Approximately 50% of these women were Town of Vincent residents.
Comments	<p>The Town has funded this project for the past six years. Feedback from clients indicates that participation in the exercise program is of benefit to their health, fitness, sense of wellbeing and confidence, relationship with their children and establishing friendships with other mothers.</p> <p>Many of the women in the program have booked their children into swimming classes at Beatty Park and the women also access other programs at Beatty Park if their incomes permit it.</p>
Amount Requested	\$1,000
Amount Recommended	\$1,000

Women's Health Care House	Raw Score	Weighted Score	%
Adherence to policy guidelines	9	2.7	27
Benefit to Town of Vincent residents	7	1.4	14
Financial viability of the project or program	9	0.9	9
Previous grants acquitted satisfactorily	10	1.0	10
Targets vulnerable and disadvantaged groups in the community	8	0.8	8
A unique service that meets the needs of the community	8	0.8	8
Demonstrated experience in delivering the service or program	9	0.9	9
TOTAL	60	8.5	85%

Organisations to be funded under an alternative funding arrangement:

Organisation	Loftus Community Centre
Purpose of Funding	To assist the Loftus Community Centre to meet its operational costs including lease fee, building insurance, rates, public liability insurance and promotion of the Centre.
Target Group	All residents living in and nearby the Town of Vincent.
Services Provided by the Organisation	<ul style="list-style-type: none"> • Crèche • Personal development courses • Playgroups • Three Plus Club • Toy Library • Seniors Programs • Post Natal Depression Support Group • Child Care Cooperative • Rooms for hire to the community • School holiday activities • Venue for many other community groups • Training for volunteers • Leisure courses • Student placements • Work for the Dole
Incorporated	Yes
Number of Vincent Residents Served	1100 families in total use the centre. Approximately 63% of users are Town of Vincent residents
Comments	The programs offered at the Loftus Community Centre are well used. The Manager Community Development and the Community Development and Disability Services Officers work closely with the centre.
Amount Recommended	\$30,000

Organisation	Rosewood Care Group
Purpose of Funding	To cover costs associated with providing delivered meals to frail aged people in the Town of Vincent and surrounding areas.
Target Group	Frail aged and people with disabilities
Services Provided by the Organisation	This service provides hostel accommodation for elderly and frail aged people and coordination of the delivery of meals from Meals on Wheels. Other services include hairdressing, podiatry, dining room meals and activities. This service assists elderly residents in the Town of Vincent to remain living independently in their homes for as long as possible.
Incorporated	Yes
Proportion of client base living in the Town	25%
Comments	There is a high demand for services provided by this organisation. The Town has made approximately 70 referrals for Meals on Wheels and podiatry services during the past financial year.
Amount Recommended	\$12,000

Organisation	Toy Libraries and Playgroups
Purpose of Funding	To support the running of local groups which target families with young children living in the Town of Vincent.
Target Group	Families living in the Town of Vincent
Services Provided by the Organisation	The toy libraries provide access to a toy loan service and information for families. The playgroups offer the opportunity for parents to socialise and gain support while their children have the opportunity to make friends and learn a range of social skills in a fun setting.
Number of Vincent Residents Served	Both toy libraries and playgroups are situated in the Town and the majority of people accessing them come from the local area.
Comments	There are a number of toy libraries and playgroups situated in the Town which provide a valuable service to local residents. Throughout the year, the Town is approached by each group requesting funds. This donation would formalise the funding arrangement we have with them and assist in streamlining the donations process.
Amount Requested	\$4,000.00
Amount Recommended	\$4,000.00

Applications not recommended for funding:

Organisation	Gurlongga Njininj Association Inc.
Purpose of Funding	Funding would be used to enable the centre to hold cultural activities aimed at ensuring that children attending the centre know about Aboriginal cultural heritage. The centre would use the funds to pay fees for Aboriginal story tellers, artists, and dancers. They would use the funds to pay for transport to take the children on cultural outings away from the centre.
Target Group	Aboriginal and non-Aboriginal children attending the child care centre and their families.
Incorporated	Yes
Services Provided by the Organisation	Multicultural child care, support and respite.
Number of Vincent Residents Served	50
Comments	Funding cannot be provided under the Community and Welfare Grants Guidelines for cultural development activities. The Community Development Officer will contact the organisation and recommend that they apply to the Town of Vincent for a Cultural Development Seeding Grant of \$1000.
Amount Requested	\$1500
Amount Recommended	Nil (eligible for a Cultural Development Seeding Grant)

Gurlongga Njininj Association Inc.	Raw Score	Weighted Score	%
Adherence to policy guidelines	0	0	0
Benefit to Town of Vincent residents	3	1.8	18
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	10	1	10
Targets vulnerable and disadvantaged groups in the community	9	0.9	9
A unique service that meets the needs of the community	6	0.6	6
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	43	5.8	58%

Organisation	St Alban's Church
Purpose of Funding	The grant would be used to assist with the cost of running the St Alban's Soup Kitchen. Funds would be used for capital expenditure such as tables, chairs, a dishwasher, cooking utensils and a coffee urn.
Target Group	All members of the community. Services such as the soup kitchen target families and single people who are homeless, impoverished, disadvantaged and socially isolated.
Services Provided by the Organisation	Christian, spiritual and religious activities. Children' and Youth activities. Community welfare and counselling. Soup kitchen.
Incorporated	Yes
Proportion of Vincent Residents Served	Approximately 75%
Comments	St Alban's has proposed to use the funds for capital expenditure. This request does not fit within the guidelines of the Community and Welfare Grants Scheme. The church could apply to Lotterywest for this kind of expenditure. There are not other costs detailed in St Alban's application that the Town could cover under the Community and Welfare Grants Guidelines.
Amount Requested	\$6000
Amount Recommended	Nil

St Alban's Church	Raw Score	Weighted Score	%
Adherence to policy guidelines	0	0	0
Benefit to Town of Vincent residents	5	1.0	10
Financial viability of the project or program	7	0.7	7
Previous grants acquitted satisfactorily	10	1.0	10
Targets vulnerable and disadvantaged groups in the community	9	0.9	9

A unique service that meets the needs of the community	7	0.7	7
Demonstrated experience in delivering the service or program	8	0.8	8
TOTAL	46	5.1	51%

SUMMARY OF RATINGS:**Summary of ratings for applications recommended for funding:**

Organisation	Raw Score	Weighted Score	Percentage
ANAWIM	58	8.3	83%
Carers WA	55	7.9	79%
Catholic Migrant Centre	56	7.9	79%
Ethnic Child Care Resource Unit	46	6.4	64%
Ethnic Communities Council	44	6.1	61%
Fifth Greek Orthodox (Greek Welfare)	50	6.8	68%
Mental Health Law Centre	56	7.7	77%
Multicultural Services Centre of WA Inc.	53	7.2	72%
Passages Resource Centre	58	7.8	78%
People Who Care	56	8.0	80%
Ruah Refuge	48	6.9	69%
St Vincent de Paul Society	61	8.6	86%
Salvation Army	58	8.1	81%
Volunteer Task Force	50	7.0	70%
WA AIDS Council	60	8.6	86%
Welfare Rights and Advocacy Service	50	7.1	71%
Women's Health Care House	60	8.5	85%

Summary of ratings for applications not recommended for funding:

Organisation	Raw Score	Weighted Score	Percentage
St Alban's Church	46	5.1	51%
Gurrlongga Njininj Association	43	5.8	58%

CONSULTATION/ADVERTISING:

The scheme was advertised twice in two (2) local papers during the month of January.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

Strategic Plan - Amended 2005 – 2010

Key Result Area 2.1: *“Celebrate and acknowledge the Town’s social diversity.”*
and

Key Result Area 2.4: *“Review the range of community services provided.”*

FINANCIAL/BUDGET IMPLICATIONS:**Community & Welfare Grants and Donations**

The table below details the financial implications of the welfare donations scheme over the past two years. It also lists the amount requested this financial year and the funding which is recommended.

Organisation	Funding Requested (04/05)	Funding Recommended (04/05)	Funding Requested (05/06)	Funding Recommended (05/06)
ANAWIM	-	-	1,200	1,200
Australian Asian Association of WA Inc.	13,980	1,000	-	-
Better Hearing Australia	15,000	1,000	-	-
Carers WA	2,000	2,000	2,000	2,000
Catholic Migrant Centre	-	-	14,070	2,000
East Metropolitan Population Health Unit	15,000	1,300	-	-
Epilepsy Association of WA	Any	500	-	-
Ethnic Child Care Resource Unit	-	-	2,550	1,500
Ethnic Communities Council	2,500	Nil	7,200	2,000
Fishers with Disabilities	5,000	Nil	-	--
Greek Welfare Centre	3,000	2,000	10,000	3,000
Gurrlongga Njininj Association	-	-	1,500	Nil
Mental Health Law Centre	2,700	1,500	2,000	2,000
Multicultural Services Centre	3,000	3,000	3,000	3,000

Passages Resource Centre	2,000	2,000	2,000	2,500
People Who Care	2,000	2,000	5,000	5,000
Playgroups	3,000	3,000	2,500	2,500
Ruah Refuge	-	-	5,260	1,500
Salvation Army	3,000	3,000	8,000	3,000
St Alban's Church	-	-	6,000	Nil
St Hilda's Anglican Church	14,000	2,000	-	-
St Vincent de Paul Society	-	-	-	2,000
Touch Australia Inc (Church)	3,500	3,000	-	-
Toy Libraries	1,500	1,500	1,500	1,500
Volunteer Task Force	4,785	3,285	4,475	4,000
WA AIDS Council	2,000	1,500	2,000	2,000
WA Deaf Society	3,100	500	-	-
Welfare, Rights and Advocacy Service	3,000	500	3,000	1,000
Women's Health Care House	1,000	1,000	1,000	1,000
Sundry Donations	5,000	5,000	6,300	6,300
TOTAL	\$137,065	\$67,585	\$90,555	\$49,000

Ongoing Funding for the Loftus Community Centre

\$30,000 has been allocated in the 2005/2006 budget for the Loftus Community Centre. It is proposed that this funding be provided to them as part of their lease agreement, and that the amount is increased each year in line with the Consumer Price Index (CPI).

Ongoing Funding for Rosewood Care Group

At a Special Council Meeting held 17 May 2005 Council allocated \$20,000 to Rosewood Care Group for the provision of meals on wheels for the 2005/2006 financial year. The Coordinator of Meals on Wheels at Rosewood Care Group has reported that the current level of funding (\$12,000) is adequate for the 2005/2006 financial year and any additional funds would generate a surplus in their budget. It is not desirable for the Town to provide funding at a level above that which is deemed necessary. Therefore, it is proposed that any increase in funding be provided in stages over the next three to five years to take into account an expected increase in the demand for meals on wheels, or the introduction of meals for specific groups in the community, such as seniors from non-English speaking backgrounds. Once the level of funding to Rosewood Care Group reaches \$20,000, it is recommended that the funding be increased each year in line with the Consumer Price Index (CPI).

It is important to note that the Coordinator of Meals on Wheels at Rosewood Care Group has indicated that the contribution made by the Town of Vincent each year is generous in comparison to contributions from other Local Government Authorities.

Ad Hoc/Sundry Donations

In the 2004/2005 Budget \$5000.00 was allocated to cover sundry donations. It is recommended that an amount of \$6,300.00 be allocated for sundry donations for the 2005/2006 financial year.

2005/2006 Budget

An amount of \$49,000 has been allocated for Community and Welfare Grants and Donations in the Budget for 2005/2006.

An amount of \$30,000 has been allocated for the Loftus Community Centre and it is recommended that \$12,000 from the 2005/2006 Budget be allocated to Rosewood Care Group.

COMMENTS:

As indicated by the number of applications received this year for Community and Welfare Grants, there are many not for profit organisations requiring assistance to provide key services to the Town's residents.

The Town recognises the valid requests for funding from all applicants, however in many cases the amount recommended is lower than that requested due to the limited funds available for grants. Priority has been given to funding those organisations to which the Town regularly makes referrals, and whose services directly or indirectly benefit a large number of the Town's residents and best reflect the needs of the local community.

Since the introduction of the Community and Welfare Grants and Donations the total amount of funding requested has increased as shown in the table below:

FINANCIAL YEAR	AMOUNT REQUESTED	AMOUNT GRANTED
1996/1997	\$43,000.00	\$40,110.00
1997/1998	\$72,500.00	\$45,300.00
1998/1999	\$129,000.00	\$51,740.00
1999/2000	\$95,940.00	\$55,500.00
2000/2001	\$139,507.00	\$55,000.00
2001/2002	\$128,133.20	\$59,368.00
2002/2003	\$167,172.00	\$63,700.00
2003/2004	\$120,786.00	\$63,300.00
2004/2005	\$137,065.00	\$67,585.00
2005/2006	\$90,555.00*	\$49,000.00*

* These figures do not include funding for the Loftus Community Centre and Rosewood Care Group.

Regular Annual Grants

The Town supports the following organisations annually as it relies heavily upon them to take referrals from Community Development and other Town of Vincent Officers:

- People Who Care; and
- Volunteer Task Force.

It is recommended that the Council continue to support these groups at the recommended level of funding, as the Town would not be in a position to meet the level of funding required to provide these services itself.

Regular Annual Grants to Playgroups and Toy Libraries Located in the Town

In past years the Town has received a number of applications for funding from playgroups and toy libraries located in the Town. While the Town recognises that playgroups and toy libraries provide an essential service to many families living in the Town, it has not always been possible to grant funding because the groups have asked for items which cannot be funded under the Community and Welfare Grants guidelines. A fair and equitable way to provide assistance to playgroups and toy libraries is to make a regular annual grant of a specified amount to each group to assist them with the cost of advertising and promotion. It is recommended that \$500 be allocated to each of the toy libraries, and playgroups located in the Town of Vincent in the 2005/2006 budget.

This money would be distributed to the following:

Toy Libraries: Noah's Ark Toy Library
Mount Hawthorn Toy Library
Leederville Toy Library

Playgroups: Highgate/Forrest Park Playgroup
North Perth Playgroup
Earlybirds Playgroup
Loftus Community Centre Playgroup
Mount Hawthorn Playgroup

10.1.2 Further Report - No. 9 (Lot 16B) Bruce Street, Dual Frontage to Ragen Alley, Leederville - Proposed Survey Strata Subdivision (Western Australian Planning Commission Reference 1915-04)

Ward:	South	Date:	20 June 2005
Precinct:	Leederville; P3	File Ref:	1915-04
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Residential Design Codes, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission (WAPC) for the proposed survey strata subdivision application submitted by EYM & YC Wong for the proposed Survey Strata Subdivision, at No. 9 (Lot 16B) Bruce Street, dual frontage to Ragen Alley, Leederville, and as shown on amended plans stamp-dated 5 May 2005 (Western Australian Planning Commission Reference 1915-04), for the following reasons:*
- (a) *the subdivision is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (b) *the proposed survey strata subdivision does not comply with the average lot size requirement of 166.67 square metres as per the Residential R60 density code of the 1991 Residential Design Codes;*
 - (c) *the proposed survey strata subdivision does not comply with the performance criteria provision which permits subdivision to reflect surrounding like development, as the surrounding lots are generally 329 square metres in size and are mostly single residential in nature; and*
 - (d) *approval of the proposed survey strata subdivision would create an undesirable precedent for subdivision within the area; and*
- (ii) *the Council REQUESTS the Western Australian Planning Commission (WAPC) that if the Commission is inclined to approve the proposed subdivision, that the Town is further consulted to obtain the appropriate conditions of the Town that should apply to the proposed survey strata subdivision.*

COUNCIL DECISION ITEM 10.1.2

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted together with the additional information.

Debate ensued.

LOST (3-5)

<u>For</u>	<u>Against</u>
Chester	Mayor Catania
Lake	Farrell
Maier	Ker
	Messina
	Torre

Reasons

1. Acceptable variations when considering other similar developments.
2. Does not detract from the amenity of the area.

(Cr Doran-Wu was an apology.)

ALTERNATIVE RECOMMENDATION:

Moved Cr Torre, Seconded Cr Ker

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission (WAPC) for the proposed survey strata subdivision application submitted by EYM & YC Wong for the proposed Survey Strata Subdivision, at No. 9 (Lot 16B) Bruce Street, dual frontage to Ragen Alley, Leederville, and as shown on amended plans stamp-dated 24 June 2005 (Western Australian Planning Commission Reference 1915-04), subject to:

- (i)
 - (1) *all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
 - (2) *support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
 - (3) *if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, a separate Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
 - (4) *all buildings and structures that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
 - (5) *the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. The maximum permitted amount of fill and height of associated retaining walls is 500 millimetres above the existing pre-subdivision ground level, and any greater amount of fill or higher retaining wall requires a separate Planning Approval to be applied to and obtained from the Town of Vincent;*
 - (6) *prior to the clearance of the Diagram or Plan of Survey by the Town, where vehicular access to the property is via a right of way and the right of way is*

not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;

- (7) *prior to the clearance of the diagram of survey for the proposed lots which has an area less than 200 square metres and/or has a depth less than 15 metres the following criteria shall be met to the satisfaction of the Town of Vincent;*
- (a) *the Town of Vincent has approved a Planning approval and/or Building Licence for the development of dwelling(s) on the subject lot; and*
- (b) *the perimeter walls of the approved dwelling(s), including the garage walls and carport walls/pillars, have been constructed to plate height; and*
- (8) *the street verge tree, Jacaranda mimosaeifolia, on Bruce Street adjacent to the subject land being retained and measures being taken to ensure its identification and protection to the satisfaction of the Town prior to commencement of site works.*

CARRIED (5-3)

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

(Cr Doran-Wu was an apology.)

Cr Torre departed the Chamber at 7.20pm.

ADDITIONAL INFORMATION:

As detailed in paragraph four of the *DETAILS* section of the *FURTHER REPORT* prepared for the Ordinary Meeting of Council to be held on 28 June 2005, there is a discrepancy in the areas shown on the plans. The applicant has provided accurate plans on 24 June 2005 and these are attached for Council's consideration and determination.

FURTHER REPORT:

The Council, at its Ordinary Meeting held on 12 April 2005, considered the proposal and resolved that the item be deferred to allow the applicant an opportunity to submit amended plans to the WAPC.

DETAILS:

The applicant seeks to subdivide the property to create two survey strata vacant lots. One lot, it is proposed, would have a frontage to Bruce Street and the other a frontage to Ragen Alley which is a 10 metres wide private right of way. There is no gazetted road frontage for the proposed rear strata lot. The subdivision will require demolition of the existing dwelling fronting Bruce Street.

The revised plan includes a 1.5 metres wide pedestrian accessway/service corridor from the proposed strata lot fronting Ragen Alley to the Bruce Street frontage to enable pedestrian access and the utility agencies to provide services to the strata lot.

The proposed Lot 2 with the Ragen Alley frontage has a "battleaxe lot" configuration, however the two lots also have a 1 square metre parcel of land which is identified as "common property", and as such they may be considered to fall under the Grouped Dwelling use class within the R Codes.

There is a discrepancy in the areas shown on the plan. The Town is aware that the site is only 329 square metres in size however, it is noted that proposed Lot 2 is identified as having an area of 169 square metres and proposed Lot 1 as having an area of 160 square metres and the parcel of land identified as "Common Property" as having an area of 1 square metre. This produces a total area of 330 square metres.

The revised plan has been assessed and a summary of the revised assessment of the application follows. The Applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	1.83 dwellings R 60	2 dwellings R 60.79	Not supported - non-compliance with fundamental R Codes requirements and potential for undesirable precedent.
Plot Ratio	N/A	N/A	N/A
Lot Area (1991 R Codes)	Average of 166.67 square metres	Average of 164.5 square metres	Not supported - non-compliance with fundamental R Codes requirements and potential for undesirable precedent.

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

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

COMMENTS:

The following comments largely repeat those of the report considered at the Ordinary Meeting of Council held on 12 April 2005. They continue to be relevant as the key issues highlighted in the above assessment remain unchanged.

Non-Compliance

The Residential Design Codes (R Codes) allow for consideration of a variation to the minimum lot size requirement under the performance criteria. The performance criteria contained within the R Codes provides for two relevant considerations; the first is a maximum variation of 5 per cent, and the second is to allow land to be developed with housing of the same type and form as land in the vicinity, which would not otherwise be able to be developed.

With respect to the second consideration which allows like development to occur, it is confirmed that the surrounding lots with dual frontage to Ragen Alley and a public street are all 329 square metres in size and they are mostly single residential in nature. Therefore, in this instance, the proposal does not comply with the performance criteria and therefore the 5 per cent variation should not be applied.

Provision of 1991 Residential Design Codes

The applicant seeks to have the survey strata subdivision assessed in accordance with the 1991 Residential Design Codes. It is noted that the Residential Design Codes allow for grouped dwellings in the R12.5-R17.5 and R60 density areas to be assessed under the 1991 standards, where the application is received prior to 31 December 2004, as was the case in this instance.

The 1991 standards require the average lot size in the R60 density area to be 166.67 square metres. The average lot size of the proposal is 164.5 square metres. The revised configuration of the lots set out in the current plan provides for two single houses with 1 square metres area of common property, albeit with the discrepancy in lot area as set out earlier. However, while the dwelling types may be considered to be grouped dwellings and the 1991 provisions relating to lot size may be applied, there still remains a shortfall in the average lot size requirement.

It is considered that the proposed survey strata subdivision, by reason of its non-compliance with fundamental Residential Design Codes requirements would result in an overdevelopment of the site and form an over dominant and incongruous feature in the street scene to the detriment of the visual amenity and character of the locality. The proposed subdivision is contrary to the provisions of the Residential Design Codes and is therefore recommended for refusal.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 12 April 2005.

"OFFICER RECOMMENDATION:

That;

- (i) in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Residential Design Codes, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission (WAPC), for the proposed survey strata subdivision application submitted by EYM and YC Wong for No. 9 (Lot 16B) Bruce Street, dual frontage to Ragen Alley, Leederville, and as shown on plans stamp-dated 11 March 2004 (subdivision 1915-04) for the following reasons:*
 - (a) the subdivision is not consistent with orderly and proper planning and the preservation of the amenities of the locality;*
 - (b) the proposed survey strata subdivision does not comply with the average lot size requirement of 180 square metres as per the Residential R60 density code, inclusive of the maximum permitted variation of 5 per cent to the average lot size;*
 - (c) the proposed survey strata subdivision does not comply with the performance criteria provision which permits subdivision to reflect surrounding like development, as the surrounding lots are generally 329 square metres in size and are single residential in nature; and*

- (d) *approval of the proposed survey strata subdivision would create an undesirable precedent for subdivision within the area; and*
- (ii) *the Council REQUESTS the Western Australian Planning Commission that if the Commission is inclined to approve the proposed subdivision, that the Town is further consulted to obtain the appropriate conditions of the Town that should apply to the proposed survey strata subdivision.*

COUNCIL DECISION ITEM 10.1.16

Moved Cr Doran-Wu, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Moved Cr Torre, Seconded Cr Franchina

That the Item be DEFERRED to give the applicant an opportunity to amend their application with the WA Planning Commission.

CARRIED (3-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Doran-Wu
Cr Franchina	Cr Lake
Cr Torre	

(Crs Chester, Farrell and Ker were apologies. Cr Cohen on approved leave of absence.)

<i>Landowner:</i>	<i>EYM & YC Wong</i>
<i>Applicant:</i>	<i>E Wong</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R60</i>
<i>Existing Land Use:</i>	<i>Single House</i>
<i>Use Class:</i>	<i>Single House</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>329 square metres</i>
<i>Access to Right of Way</i>	<i>South side, 10 metres wide, sealed, privately owned</i>

BACKGROUND:

18 November 2003 The Council, at its Ordinary Meeting, resolved to refuse proposed Survey Strata Subdivision.

DETAILS:

The applicant seeks to subdivide the property to create two survey strata vacant lots. One lot with gazetted road access to Bruce Street and the other with frontage to Ragan Alley, which is a 10 metres wide private right of way. There is no gazetted road access for the rear Lot 2.

The subdivision will require demolition of the existing dwelling.

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

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Density</i>	<i>1.83 dwellings R 60</i>	<i>2 dwellings R 60.79</i>	<i>Not supported - non-compliance with fundamental R Codes requirements and potential for undesirable precedent.</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>Lot Area</i>	<i>Minimum 160 square metres and an average of 180 square metres</i>	<i>Lot 1 - 164.5 square metres Lot 2 - 164.5 square metres</i>	<i>Not supported - non-compliance with fundamental R Codes requirements and potential for undesirable precedent.</i>
<i>Consultation Submissions</i>			
<i>Support</i>	<i>N/A</i>		<i>Noted</i>
<i>Objection</i>	<i>N/A</i>		<i>Noted</i>
<i>Other Implications</i>			
<i>Legal/Policy</i>			<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>
<i>Strategic Implications</i>			<i>Nil</i>
<i>Financial/Budget Implications</i>			<i>Nil</i>

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

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

COMMENTS:

Non-Compliance

The Residential Design Codes (R Codes) allow for consideration of a variation to the minimum lot size requirement under the performance criteria. The Residential R60 density code requires that a minimum lot size of 160 square metres is achieved with an average of 180 square metres when considering subdivision. The proposal complies with the minimum lot size requirements for the density provision, however does not comply with the average requirement. The performance criteria contained within the R Codes provides for two relevant considerations; the first is a maximum variation of 5 per cent, and the second is to allow land to be developed with housing of the same type and form as land in the vicinity, which would not otherwise be able to be developed.

In this instance, the proposal does not comply with either provision. A 5 per cent variation from the average lot size requirement would require an initial land area of 342 square metres to consider subdivision into two lots. The site is only 329 square metres in size and is therefore non-compliant with this performance criteria provision. With respect to the second consideration which allows like development to occur, it is confirmed that the surrounding lots with dual frontage to Ragen Alley are all 329 square metres in size and they are all single residential in nature.

Provision of 1991 Residential Design Codes

The applicant seeks to have the survey strata subdivision assessed in accordance with the 1991 Residential Design Codes. It is noted that the Residential Design Codes allow for grouped dwellings in the R12.5-R17.5 and R60 density areas to be assessed under the 1991 standards.

The 1991 standards require the average lot size in the R60 density area to be 166.67 square metres. The average lot size of the proposal is 164.5 square metres and due to the nature of the proposal being two single houses with no common property the dwelling type is not considered to be grouped dwellings and therefore the 1991 provisions cannot be applied to this proposal.

Summary

The proposed survey strata subdivision, by reason of its non-compliance with fundamental Residential Design Codes requirements would result in an overdevelopment of the site and form an over dominant and incongruous feature in the street scene to the detriment of the visual amenity and character of the locality. The proposed subdivision is therefore contrary to the provisions of the Residential Design Codes and is therefore recommended for refusal."

10.1.3 Further Report- No. 81 (Lot 246) Auckland Street, North Perth - Proposed Additional Two-Storey Grouped Dwelling to Existing Dwelling

Ward:	North	Date:	20 June 2005
Precinct:	North Perth; P8	File Ref:	PRO2282; 00/33/1527
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Iliadis & Associates Architects Pty Ltd on behalf of the owner Daktiki Holdings Pty Ltd for proposed Additional Two-Storey Grouped Dwelling to Existing Dwelling, at No. 81 (Lot 246) Auckland Street, North Perth, and as shown on plans stamp-dated 25 June 2003, and 9 June 2005 (overshadowing and adjoining lot plan)subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Auckland Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Auckland Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (iv) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the driveway of the existing dwelling being 5.0 metres in width. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies.*

COUNCIL DECISION ITEM 10.1.3

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted subject to the additional information.

Debate ensued.

Councillor Torre returned to the Chamber at 7.21pm.

Moved Cr Lake, Seconded Cr Ker

That the item be DEFERRED to further consider issues of the subdivision.

CARRIED (5-3)

<p><u>For</u> Mayor Catania Cr Ker Cr Lake Cr Maier Cr Torre</p>	<p><u>Against</u> Cr Chester Cr Farrell Cr Messina</p>
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(Cr Doran-Wu was an apology.)

FURTHER REPORT:

The subject application was considered at the Ordinary Meeting of Council held on 24 May 2005. The following was resolved by the Council in relation to this matter:

"That the Item be DEFERRED to allow further consideration of the matter and public consultation to be undertaken."

The Town has since been in contact with the applicant to suggest the submission of additional information. The applicant has indicated that the owners, (who have not changed since the application was initially submitted) wish to proceed with the plans and have submitted an overshadowing plan and a plan of the adjoining southern property, which has been attached for the Council's consideration.

Consultation Submissions

As a result of the above resolution, the subject proposal was advertised to neighbours for a period of two weeks. One objection was received during this period. A summary of this objection and the issues raised during 'Public Question Time' at the Ordinary Meeting of Council held on 24 May 2005 and the Officer's comments is summarised in the Table below:

Consultation Submissions		
	Summary	Officer Comments
Objections	<ul style="list-style-type: none"> • Advertising Period • Validity of subdivision • Amenity in terms of privacy, lifestyle, overshadowing and overcrowding • Existing house has no laundry and storeroom • Proposal is profit driven 	<p>Noted- application has since been advertised.</p> <p>Not supported- refer to 'Additional Information Report' in verbatim.</p> <p>Not supported- refer to 'Additional Information Report' in verbatim.</p> <p>Not supported- separate matter not related to the subject application. Notwithstanding this, WAPC's conditional approval of the subject subdivision requires the existing house to provide storeroom, in accordance with R-Codes.</p> <p>Not supported- not a planning consideration.</p>

	<ul style="list-style-type: none"> • Privacy • Setbacks • Existing carport being enclosed in the future • Overshadowing • Little property being provided • Existing house has major openings to driveway 	<p>Not supported- refer to 'Additional Information Report' in verbatim.</p> <p>Not supported- refer to 'Additional Information Report' in verbatim.</p> <p>Not supported- separate enforcement matter not related to the subject application.</p> <p>Not supported- refer to 'Additional Information Report' in verbatim.</p> <p>Not supported- WAPC has conditionally approved the subject subdivision, the Town has no ability in overturn this decision.</p> <p>Not supported- WAPC did not require the existing house not to have major openings adjacent to driveway in the approval of the subdivision.</p>
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Driveway

The Town's Technical Services have advised that the driveway of the existing house may be reduced from 5.5 metres to 5.0 metres. The aggregate of the two driveways will therefore occupy 52.7 per cent of the property's frontage. This matter has been conditioned accordingly in the *Further Officer Recommendation*.

Further to the above, it is noted that the Western Australian Planning Commission is the ultimate decision maker of subdivision applications and the Town has no ability in overturn its decision. In light of this, it is considered the Town has an obligation to impartially assess all planning applications. In this instance, the subject planning application is considered to be acceptable and is therefore, recommended for approval subject to standard and appropriate conditions to address the above matters.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 24 May 2005, and an *Additional Information Report* that was prepared for that meeting:

"ADDITIONAL INFORMATION:

Subdivision

The background of the subdivision of the subject lot is as follows:

12 August 2003 Council at its Ordinary Meeting resolved to recommend refusal to the Western Australian Planning Commission (WAPC) for the proposed survey strata subdivision at the subject property.

29 August 2003 WAPC sought comments from the Town regarding amended plans for the proposal outlined above.

22 September 2003 The Town wrote to the WAPC indicating it would not support the amended plans.

11 March 2004 WAPC resolved to refuse the application for a survey strata subdivision at the subject property.

16 April 2004 WAPC sought comments from the Town regarding the reconsideration of the above refusal.

6 May 2004 *The Town wrote to the WAPC indicating it would not support the reconsideration. The letter also requested that the WAPC take into consideration the conditions presented in the Officer Recommendation for the subject application at the Ordinary Meeting of Council held on 12 August 2003, in the event the WAPC approved the application.*

14 June 2004 *WAPC resolved to conditionally approve the application for a survey strata subdivision of the subject property.*

The relevant minutes from the 12 August 2003 Ordinary Meeting of Council and a copy of WAPC approval is attached. It is considered that the WAPC did not apply the R20 requirements as it was reconsidering plans stamp-dated 1 July 2003, which was before the Scheme Amendment No. 11 (down zoning of Eton Locality) gazetted on 7 October 2003.

Southern Setback

There is no variation sought in relation to this setback.

Neighbouring Properties and Overshadowing Plan

At the time the current plans were received on 23 June 2003, it was not a formal requirement that the above plans be submitted. Notwithstanding this, while the Town's Officers were intending to suggest to the applicant that these plans be submitted for the Council's consideration, they have been unsuccessful in contacting the applicant.

Driveway Width

The Town's Technical Services have advised that the driveway of the existing house may be reduced from 5.5 metres to 5.0 metres. The aggregate of the two driveways will therefore occupy 52.7 per cent of the property's frontage. This matter has been conditioned accordingly in an Amended Recommendation.

Proposal Assessment against Residential R30/40 Requirements

The current plans were submitted on 25 June 2003, however were not assessed until this time as it was pending Elected Members' consideration for the matter to be 'lifted from the table'.

Objections

Two objections have been received for the subject application. A summary of these objections and the Officer's comments are summarised in the Table below:"

<i>Consultation Submissions</i>		
	<i>Summary</i>	<i>Officer Comments</i>
<i>Objection (2)</i>	<ul style="list-style-type: none"> • <i>Advertising Period</i> • <i>Visual Privacy</i> • <i>Height of block and retaining wall</i> • <i>Solar Access</i> 	<p><i>Not supported- in this instance, plans were not required to be advertised as per the Town's Community Consultation Policy.</i></p> <p><i>Not supported- apart from overlooking into the car park, proposal is considered to be compliant with the Privacy provisions of the R-Codes.</i></p> <p><i>Not supported- considered to be a civil matter which is to be resolved between adjoining land owners.</i></p> <p><i>Not supported- proposal is considered to be compliant with the overshadowing provisions of the R-Codes.</i></p>

	<ul style="list-style-type: none"> • <i>Setbacks</i> • <i>Driveway</i> • <i>Loss of Mature Trees</i> 	<p><i>Not supported- refer to 'Comments'.</i></p> <p><i>Not supported- refer to 'Comments' and 'Additional Information'.</i></p> <p><i>Not supported- trees are not listed on the Town's Trees of Significance Inventory or Interim Significant Tree Databases, and therefore, the Town can not enforce their retention and plans indicate another street verge tree is to be re-planted."</i></p>
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"FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Iliadis & Associates Architects Pty Ltd on behalf of the owner Daktiki Holdings Pty Ltd for proposed Additional Two-Storey Grouped Dwelling to Existing Dwelling, at No. 81 (Lot 246) Auckland Street, North Perth, and as shown on plans stamp-dated 25 June 2003, subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Auckland Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*
- (iii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Auckland Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

Moved Cr Doran-Wu, Seconded Cr Farrell

That the recommendation be adopted.

Cr Messina departed Chamber at 7.04pm.

Debate ensued.

Cr Messina returned to the Chamber at 7.05pm.

Moved Cr Doran-Wu, Seconded Cr Farrell

That the Item be DEFERRED to allow affected neighbours sufficient time to comment on the proposal.

LOST (3-5)

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

(Cr Torre on approved leave of absence.)

Debate ensued.

Mayor Catania advised that due to personal reasons he would be leaving the meeting. He requested that Deputy Mayor – Cr Steed Farrell act as Presiding Member in his absence.

Mayor Catania departed the meeting at 7.25pm and Deputy Mayor – Cr Farrell assumed the Chair.

COUNCIL DECISION ITEM 10.1.1

Moved Cr Messina, Seconded Cr Chester

That the Item be DEFERRED to allow further consideration of the matter and public consultation to be undertaken.

CARRIED (7-0)

(Cr Torre on approved leave of absence. Mayor Catania departed the meeting at 7.25pm and did not vote.)

The Chief Executive Officer advised the Presiding Member that the “En bloc” Items were required to be moved and seconded.

Moved Cr Maier, Seconded Cr Lake

That the following unopposed items be moved en bloc;

Items 10.1.4, 10.1.7, 10.1.16, 10.1.17, 10.2.1, 10.2.3, 10.3.1, 10.3.2 and 10.3.3.

CARRIED (7-0)

(Cr Torre on approved leave of absence. Mayor Catania departed the meeting at 7.25pm and did not vote.)

FURTHER REPORT:

The subject application was considered at the Ordinary Meeting of Council held on 13 May 2003. The following was resolved by the Council in relation to this matter:

"That this item "LIE ON THE TABLE", so that the applicant can address the issues of overlooking, setbacks and the driveway."

The Mayor Nick Catania and Councillors Sally Lake and Simon Chester have agreed for the item to be referred back to the Council for further consideration.

The applicant has since submitted revised plans and a justification letter (as 'Laid on the Table') to address the above issues.

The following table is an updated assessment as per the revised plans. While it is noted the subject property has since been down- zoned from Residential R30/40 to Residential R20, this has not been taken into consideration in the assessment table below, on the basis that the application considered by the Council on 13 May 2003 was assessed as per the R30/40 requirements.

With the exception of a density variation (R33.67, 68 percent density bonus) the Assessment Table would remain the same if the proposal were assessed as per the Residential R20 requirements. This variation would be supported in light of the two survey strata title lots being conditionally approved by the Western Australian Planning Commission on 14 June 2004 at the R30/40 density.

Assessment:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Primary Street</i>	<i>Driveways not to occupy more than 40 percent of the frontage of a property</i>	<i>56 per cent (does not include landscaping strip, as per previous assessment)</i>	<i>Supported- refer to comments from previous report in verbatim.</i>
<i>Setback: Upper Floor- West</i>	<i>2.3 metres</i>	<i>1.05 metres to 2.75 metres</i>	<i>Supported- affected neighbour has consented to variation.</i>
<i>Privacy Setbacks</i>	<i>Bedrooms- 4.5 metres Habitable rooms other than bedrooms- 6.0 metres</i>	<i>Bedroom 3- 1.5 metres Activities room- 1.5 metres</i>	<i>Supported- cone of vision encroachment is to car park.</i>

In light of the above, it recommended that the application be approved, subject to standard conditions.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 13 May 2003:

"OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Iliadis and Associates Architects Pty Ltd on behalf of the owner Daktiki Holdings Pty Ltd for proposed two-storey grouped dwelling to existing single house at No. 81 (Lot 246) Auckland Street, North Perth, and as shown on the plans stamp dated 5 March 2003, subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Auckland Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the new front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (ii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the window(s) to the master bedroom on the western elevation on the first floor shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
- (iii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iv) *a road and verge security deposit bond and/or bank guarantee of \$550 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (v) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (vii) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Auckland Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (viii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense; and*
- (ix) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.8

Moved Cr Torre, Seconded Cr Chester

That this item "LIE ON THE TABLE", so that the applicant can address the issues of overlooking, setbacks and the driveway.

CARRIED (9-0)

LANDOWNER: *Daktiki Holding Pty ltd*
APPLICANT: *Iliadis and Associates Architects Pty Ltd*

ZONING: Metropolitan Region Scheme: Urban
Town Planning Scheme No.1: Residential R30/40
EXISTING LAND USE: Single House

COMPLIANCE:

<i>Use Class</i>	<i>Grouped Dwelling</i>
<i>Use Classification</i>	<i>"P"</i>
<i>Lot Area</i>	<i>594 square metres</i>

<i>Requirements</i>		<i>Provided</i>
<i>Primary Street</i>	<i>Driveways not to occupy more than 40 percent of the frontage of a property</i>	<i>68 per cent</i>
<i>Privacy - Western Elevation Master Bedroom Window</i>	<i>Permanent vertical screening to be provided to restrict views if setback less than 4.5 metres from neighbouring properties boundaries.</i>	<i>2.4 metres (screening condition imposed)</i>
<i>Setback - Western Elevation Upper Floor</i>	<i>2.3 metres</i>	<i>1.05 metres to 2.75 metres</i>

SITE HISTORY:

The subject site is occupied by a single storey single house.

CONSULTATION/ADVERTISING:

There were three objections received during the advertising period. The details of the submissions are comprehensive and are to be "Laid on the Table" and circulated separately to Elected Members.

The following points outline the main issues of the submissions:

- *Scheme Amendment No. 11: The scheme amendment was supported by 81 per cent of the residents within the Eton Locality to rezone the area from R30/40 to R20.*
- *The proposed development is not consistent with the amenity of the area in relation to the Eton Locality Statement.*
- *Visual privacy.*
- *Ground levels of the development site/height of block.*
- *Solar access/overshadowing.*
- *Rear boundary setback.*
- *Loss of mature trees.*
- *Driveway width.*
- *Excess traffic and noise the proposed dwelling may cause.*
- *Over-development.*
- *Investor development in the area.*

DETAILS:

Approval is sought for construction of one (1) two storey grouped dwelling to existing single house.

COMMENTS:

Privacy

With regard to objectors' concerns over privacy, the appropriate screening conditions have been placed in order to comply with the privacy requirements of the Residential Design Codes. The proposal has also screened the balcony from the master bedroom and setback the balcony from the activities room, both located adjacent to the southern boundary, both which are in accordance with the requirements of the Residential Design Codes.

In a recent Ordinary Meeting of Council, the Council has been prepared to vary the Privacy requirements of the Residential Design Codes by allowing the overlooking window to be top hinged and the obscured portion of the window to be openable to a maximum of 20 degrees.

In regard to the upper floor privacy concerns on the northern elevation, in relation to the activities room, bedroom 3 and bedroom 2, screening conditions are not required as this portion of the proposal is adjacent to a local reserve area, which is screened by mature trees.

Setback

The boundary setback variation as outlined in the Compliance Table is considered acceptable as it is generally minor in nature. The upper floor setback variation on the western elevation is considered appropriate as the majority of the setback, and that to the master bedroom, is setback in compliance with the requirements of the Residential Design Codes. Therefore, the setback variation is considered not to unduly affect the amenity of the adjoining properties.

Primary Street - Driveway Width and Street Trees

With regard to the requirements of driveway width and occupation of the frontage of the property, the proposal aims to widen the existing crossover to be able to provide two car parking bays for the existing dwelling. The design of the crossover also aims to separate the two properties to individualise the grouped dwellings. In the instance of subdivision, the access crossover for the existing dwelling is less than the 40 percent, and is therefore considered appropriate. In relation to concerns over street trees, the appropriate condition addressing this has been placed, and the applicant aims to retain the verge tree and replant in a more appropriate position.

Mature Trees

The proposal seeks to remove three trees located within the development site. In regard to concerns over the loss of mature trees, the trees are not listed on the Town's Significant Tree Inventory or Interim Databases, therefore their removal is supported.

Fill

In regard to concerns over site fill, the proposal does not exceed 0.5 metre, and is compliant with the requirements of the Residential Design Codes. The proposal generally retains the natural ground level of the site with variation to natural ground levels being less than 0.3 metre.

Overshadowing

In relation to the concerns raised in regard to overshadowing, the proposal is well within the requirements of the Residential Design Codes. The actual percentage of overshadowing onto the adjacent southern property is 9.94 per cent. The Residential Design Codes permits a maximum of 50 per cent overshadowing onto the adjoining site, for areas zoned between R40 to RIC. Therefore, it is compliant and not considered to unduly affect the amenity of the adjoining property.

Eton Locality

The Eton Locality Statement states the following:

"Single houses will remain the predominant dwelling types within this Locality. On those larger lots which can accommodate additional housing, infill development will be favoured. Grouped Dwellings developments comprising two or more new dwellings are also appropriate.

The retention and/or restoration of established houses which are indicative of the era in which the Locality was developed and generally contribute to its existing character will be encouraged. An increase in housing density for new infill development will be permitted where certain criteria can be met."

The proposal has retained the existing dwelling, which is indicative of the 1930's building stock and is providing infill development; therefore the proposal fulfills the current Locality Statement.

Scheme Amendment No. 11

It should be noted that the subject property is located within the Town's Eton Locality which is subject to Amendment No.11 to the Town of Vincent Town Planning Scheme No. 1. Amendment No.11 proposes to rezone the Eton Locality from R30 and R30/40 to R20. The Amendment is at present with the Western Australian Planning Commission and Minister for Planning and Infrastructure for final determination. The proposal represents a density code of R40.

Traffic and Noise

With regard to concerns over excess traffic and noise, the addition of a residential dwelling will not unduly increase noise or traffic flows on Auckland Street. Therefore, the dwelling is deemed not to unduly impact on the amenity of the area, in respect to the above concerns.

Over Development and Investor Development

In regard to concerns of over development of the proposal, the development generally complies with the current requirements of the Residential Design Codes and Town's Policies, and meets the site requirements for its current residential zoning.

In relation to concerns of over investor development, the Town is not in a position to determine and/or control the type of residential investment that occurs within the Town.

Summary

The proposal generally meets the current requirements of the Residential Design Codes and the Town's Policies, and will not unduly adversely affect the amenity and streetscape of the area. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters."

10.1.12 No. 14 (Lot 204) Auckland Street, North Perth - Proposed Additional Two-Storey with Loft Grouped Dwelling to Existing Single House and Demolition of Existing Garage and Two (2) Outbuildings

Ward:	North	Date:	22 June 2005
Precinct:	North Perth; P8	File Ref:	PRO3039; 00/33/2626
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by DA Residential & Commercial Design on behalf of the owner B Munro for proposed Additional Two-Storey with Loft Grouped Dwelling to Existing Single House and Demolition of Existing Garage and Two (2) Outbuildings, at No. 14 (Lot 204) Auckland Street, North Perth, and as shown on plans stamp-dated 24 May 2005, subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Auckland Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) *the upper floor being setback a minimum of 1.5 metres from the southern boundary;*
 - (b) *the southern boundary wall being a maximum average height of 3 metres and a maximum height of 3.5 metres;*
 - (c) *the southern and northern elevation of the balcony on the loft floor being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed; and*
 - (d) *the window to bedroom 4 on the eastern elevation on the first floor, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR the subject window not exceeding one square metre in aggregate in the respective subject walls, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002.*

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

- (iv) *subject to first obtaining the consent of the owners of Nos. 12 and 16 Auckland Street for entry onto their land the owner of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 12 and 16 Auckland Street in a good and clean condition; and*
- (v) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Auckland Street verge adjacent to the subject properties, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

COUNCIL DECISION ITEM 10.1.12

Moved Cr Maier, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

Cr Farrell departed the Chamber at 7.26pm.

Debate ensued.

Cr Farrell returned to the Chamber at 7.28pm.

LOST (0-8)

Reasons

- 1. Contrary to Locality Statement 3.3.7.**
- 2. Non-compliance with parking for the front house**
- 3. Non-compliance with the provision of an outdoor storage area**
- 4. Non-compliance with the provision of 20 square metres outdoor living area**

(Cr Doran-Wu was an apology.)

Landowner:	B Munro
Applicant:	DA Residential & Commercial Design
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R20
Existing Land Use:	Single House
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	675 square metres
Access to Right of Way	N/A

BACKGROUND:

The background of the subdivision of the subject lot is as follows:

27 May 2003 Council at its Ordinary Meeting considered two concurrent survey strata subdivision applications at the subject property. The Council resolved to recommend conditional approval to the Western Australian Planning Commission (WAPC) for the subdivision plan that reflects the subject proposal, and resolved to recommend refusal to the Western Australian Planning Commission (WAPC) for the other application.

15 and 23 July 2003 WAPC resolved to conditionally approve both applications for the survey strata subdivision of the subject property.

DETAILS:

The proposal involves additional two-storey with loft grouped dwelling to existing single house and demolition of existing garage and two (2) outbuildings at the subject site. The subject property is in the Eton Locality and accordingly, is being referred to Council for determination. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Pursuant to Clause 38(5) of TPS 1 Comments
Density	1 dwelling R 20	2 dwellings R 29.6 48 per cent density bonus	Supported- subdivision of lots was conditionally approved by the Western Australian Planning Commission on 23 July 2003 at R30/40 density.
Plot Ratio	N/A	N/A	N/A
Setbacks: - Ground Floor North (store, garage, games)	1.5 metres	Nil (store)-1.2 metres	Supported- minor variation, no undue impact on neighbour and store is compliant with Cl. 3.2.2 "Buildings on Boundary", in terms of height and length. Supported in part- wall has been conditioned to be compliant with Cl. 3.2.2 "Buildings on Boundary", in terms of height (length compliant). Supported- internal boundary and compliant with Cl. 3.2.2 "Buildings on Boundary", in terms of height and length.
South (kitchen, study)	1.5 metres	Nil	
West (garage)	1.0 metre	Nil	

- 1st Floor South (bedrooms 2 & 4)	1.5 metres	Nil - 1.0 metre	Not supported- has been conditioned to comply.
Privacy Setbacks: Bedrooms	4.5 metres	3.8-4.1 metres to eastern boundary and 2.4 metres to south boundary (bedroom 4).	Not supported- has been conditioned to comply.
Balcony	7.5 metres	4.6-6.4 metres to southern boundary and 4.8-7.0 metres to northern boundary.	Not supported- has been conditioned to comply.
Building on Boundary	One boundary wall is permitted with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6% length of boundary.	Three boundary walls proposed: Northern and western boundary wall compliant; and Southern boundary wall has an average height of 5.7 metres and a maximum height of 5.9 metres (length compliant).	Supported in part-number of boundary walls supported on the basis of the site constraints due to retention of pool. Southern boundary wall has been conditioned to comply with average and maximum height requirements.
Consultation Submissions			
Support	Nil		Noted.
Objection (2)	<ul style="list-style-type: none"> • Setbacks • Building on boundary • Overall height and bulk of building • Density • Amenity-privacy and overshadowing • Request northern parapet wall be rendered in event of approval 		<p>Supported in part- refer to above.</p> <p>Supported in part- refer to above.</p> <p>Not supported - height and number of storeys compliant and setback variations addressed above.</p> <p>Not supported- subject sites have already been conditionally approved by Western Australian Planning Commission.</p> <p>Supported in part- matter is compliant/ conditioned to be compliant with R-Codes.</p> <p>Supported in part-standard 'boundary wall finish' condition has been imposed, type of finish is a matter to be resolved between the neighbours.</p>

	<ul style="list-style-type: none"> • Request 'best management practice' during construction in event of approval • Damage to garden • Privacy • No objections to 2-3 metres high boundary wall (south) 	<p>Supported- proposal will be required to comply with standard requirements relating to construction at Building Licence stage.</p> <p>Not supported- civil matter, not a major planning consideration.</p> <p>Supported- refer to above.</p> <p>Supported in part- subject wall has been conditioned for compliance with R-Codes.</p>
Other Implications		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	

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

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

COMMENTS:

In light of the above, the planning application is generally considered to be acceptable and is recommended for approval, subject to standard and appropriate conditions to address the matters raised in the report.

ADDITIONAL INFORMATION

The Town's Officers have since been in contact with the southern neighbour, who has indicated that while she signed 'preliminary sketch plans', indicating no objections to similar plans in November 2004, the neighbour has since viewed the current plans and wishes to lodge her comments/objections for the Council's consideration (as per Assessment Table).

10.1.31 No. 38 (Lot 45) Fairfield Street, Mount Hawthorn - Proposed Change of Use from Single House to Office Building and Associated Alterations

Ward:	North	Date:	20 June 2005
Precinct:	Mt Hawthorn; P1	File Ref:	PRO3129; 00/33/2761
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Whelans Town Planning Consultants on behalf of the owner E & P Furno & Mostacciuolo for proposed Change Of Use From Single House to Office Building and Associated Alterations, at No. 38 (Lot 45) Fairfield Street, Mount Hawthorn, and as shown on plans stamp-dated 11 March 2005, for the following reasons:

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) approval of the proposed development would create an undesirable precedent for other similar commercial use developments encroaching into established residential areas; and*
- (iii) consideration of objections received in relation to the planning application for change of use from single house to office building proposed for the above site.*

COUNCIL DECISION ITEM 10.1.31

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted together with the Additional Information.

Debate ensued.

CARRIED (5-3)

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

(Cr Doran-Wu was an apology.)

ADDITIONAL INFORMATION:

The applicant has submitted additional information addressing the matters raised in the consultation submissions, which have been summarised below and "Laid on the Table":

- The proposed use is an "SA" use and the Town of Vincent Town Planning Scheme No.1 has provisions to permit an office at the above location. The land is appropriately zoned for the proposed use. The use will be less intense as clients visitation will remain in the primary office off Scarborough Beach Road. This transitional use is supported by the State Government's Network Cities Initiative.
- The proposal allows Whelans to expand its offices to an adjacent location.
- Whelans is appreciative of the sensitivities of residents relating to carparking and anti-social behaviour of some patrons of the Paddington Ale House. The property may be sold or rented out to tenants who may not respect the local values as Whelans.
- The existing house is retained and will be upgraded, which is unlikely as a rental property.
- All carparking is provided on-site.
- An office does not generate noise or anti-social behaviour and will also alleviate the commercial carparking issues experienced in the area. It will also not result in an adverse impact on the streetscape in general.
- An office has previously operated from No.7 Fairfield Street, and is now vacant. The proposed use will not be anymore detrimental than the office at No.7 Fairfield Street.

Landowner:	E & P Furno & Mostacciuolo
Applicant:	Whelans Town Planning Consultants
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1) Residential R30
Existing Land Use:	Single House
Use Class:	Office Building
Use Classification:	"SA"
Lot Area:	582 square metres
Access to Right of Way	North and east sides, 5 metres wide, sealed and owned by Town of Vincent

BACKGROUND:

The subject site is occupied by a single storey house, which has car parking access off the rear right of way (ROW). The proposal was not assessed under the Draft Policy relating to Non-Residential Development Interface, as the proposal was received prior to the Policy being formally adopted by the Council.

DETAILS:

The proposal is for the conversion of an existing house to an office to accommodate Whelans Town Planning Consultants. Whelans currently operate at No.133 Scarborough Beach Road and intend to expand their operations to the above site, which is directly behind their existing premises.

The applicant has submitted a detailed submission (tabled), which has been summarised as follows:

- The site is capable of accommodating an office use, which will not have a detrimental effect of the surrounding area, considering the commercial uses along Scarborough Beach Road. The property is also to be upgraded.
- The office will operate from 8am to 5pm, Monday to Friday.
- Adequate numbers of car bays are provided, with access off the ROW.
- Vehicle and pedestrians around the site will not increase from existing levels in the area, as it is anticipated that 5 to 8 staff members will be working from the office at any one time.

Client visitation will be minimal. Meetings will be held in the existing offices at No.133 Scarborough Beach Road.

- There will be minimal signage on the front door.
- Submissions in support for the proposal from residents of Fairfield Street have been attached.

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

This proposal was advertised for public comment for a period of twenty one (21) days in accordance with the "SA" advertising procedures.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
Support (17)	<ul style="list-style-type: none"> • No objection to change of use application. 		Noted.
Objection (10)	<ul style="list-style-type: none"> • Commercial uses should not be moving into a residential zone when there is ample land zoned Commercial in the vicinity. General concern about intensification of commercial land uses in area in light of problems associated with the Paddington Ale House. 		Supported-as there is opportunity to relocate to another appropriately zoned site.
	<ul style="list-style-type: none"> • Commercial land uses within existing residential zoned land are not supported along Fairfield Street. If approved, will set a precedent for other residential properties along Fairfield Street to be changed to commercial type uses. 		Supported- as above.
	<ul style="list-style-type: none"> • Adverse impact on Fairfield Street 		Supported-as above.
	<ul style="list-style-type: none"> • Existing car parking problem along Fairfield Street. Cannot see how an office will reduce issues or benefit the residents. 		Not supported- as there is adequate carparking provided on-site as per the Town's carparking requirements.
	<ul style="list-style-type: none"> • Additional movement and parking in street as a result of proposed development, which will "<i>put even more strain on the already overcrowded street parking</i>". 		Supported- as there may be an increase in on-street parking associated with the proposed office use.
Comment	<ul style="list-style-type: none"> • Undue impact already caused by the Paddington Ale House operations relating to parking, increase in patron numbers, parking infringements and general disharmony at the expense of residents. 		Noted.

Other Implications		
Legal/Policy	TPS 1 and associated Policies.	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	
Carparking		
Requirements	Required No. of Car bays	
Office: 1 car bay per 50 square metres gross floor area (existing 139 square metres).	2.78 car bays	
Total car parking required before adjustment factor (nearest whole number)	3 car bays	
Apply the parking adjustment factors. ▪ 0.85 (within 400 metres of a bus stop)	(0.85) 2.55car bays	
Car parking provided on-site	3 car bays	
Resultant surplus	0.45car bay	
Bicycle Parking		
Requirements	Required	Provided
Retail 1 per 200 (proposed 139) square metres of gross floor area for employees (class 1 or 2).	1 space	Nil

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

COMMENTS:

The land is zoned Residential R30 under Town of Vincent Town Planning Scheme No.1 and falls within the Anzac Locality Plan 4.

The subject office use is considered more suited to be located in areas which have been appropriately zoned and developed for such uses, that is the District Centre and Commercial areas along Scarborough Beach Road and Oxford Street, which are within close proximity of the subject site. The proposal does not comply with the Policy relating to Non-Residential Uses In/Or Adjacent to Residential Areas, as the proposed office use is considered to attract additional vehicular traffic and create other effects that would not normally be expected from a property zoned Residential R30, and is likely to encourage further commercial intrusion within an established residential area.

Health and Building

The Town's Health Services and Building Surveyors have advised that the proposal generally complies with the relevant health and Building Code of Australia (BCA) standards. However, the owners will be required to provide facilities for people with disabilities in accordance with the BCA requirements, which can be provided at the Building Licence stage.

Summary

The proposal represents an inappropriate use for the above site, and as such would set an undesirable precedent in the locality for further commercial development of a similar scale and nature in the future, within a predominantly established residential area. Accordingly, it is recommended that the proposal be refused.

10.1.29 No. 28 (Lot 25) Windsor Street, East Perth - Proposed Garage and Store Room Addition to Existing Grouped Dwelling

Ward:	South	Date:	20 June 2005
Precinct:	Banks; P15	File Ref:	PRO2259; 00/33/2773
Attachments:	001		
Reporting Officer(s):	K Loader		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Arjai Designs on behalf of the owners A Coccovia & N Koenig for proposed Garage and Store Room Addition to Existing Grouped Dwelling, at No. 28 (Lot 25) Windsor Street, East Perth, and as shown on amended plans stamp-dated 8 June 2005, for the following reasons:

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (ii) the non-compliance with the vehicular access and car parking requirements of the Residential Design Codes, and the Town's Policies relating to Vehicular Access and Parking and Access, respectively.*

COUNCIL DECISION ITEM 10.1.29

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

LOST (0-8)

Reasons:

1. The location of the property is in close proximity to public transport.
2. Retention of the existing house.

(Cr Doran-Wu was an apology.)

ALTERNATIVE RECOMMENDATION:

“That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Arjai Designs on behalf of the owners A Coccovia & N Koenig for proposed Garage and Store Room Addition to Existing Grouped Dwelling, at No. 28 (Lot 25) Windsor Street, East Perth, and as shown on amended plans stamp-dated 8 June 2005, subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Windsor Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*
- (iii) *subject to first obtaining the consent of the owners of Nos. 30, 30A and 30B Windsor Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 30, 30A and 30B Windsor Street in a good and clean condition.”*

Moved Cr Chester, Seconded Cr Farrell

That the alternative recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Cr Chester departed the Chamber at 7.35pm.

Landowner:	A Coccovia & N Koenig
Applicant:	Arjai Designs
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Two Grouped Dwellings
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	534 square metres
Access to Right of Way	N/A

BACKGROUND:

- 25 March 2003 An application for demolition of existing dwelling and construction of two (2) x two (2) storey grouped dwellings was considered at the Ordinary Meeting of Council held on 25 March 2003 where the Council resolved that the item “*be deferred for further investigation and report, to address non-compliance of setbacks through use of rear ROW for access*”.
- 27 May 2003 Conditional approval was granted by the Council at its Ordinary Meeting for demolition of existing dwelling and construction of two (2) x two (2) storey grouped dwellings at No. 28 (Lot 25) Windsor Street, Perth.

DETAILS:

The proposal involves a proposed garage and store room addition to existing front grouped dwelling at the subject property.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Vehicular Access and Car Parking	2 spaces, which may be in tandem	1 space	Not supported – non compliance with fundamental R Codes requirements, and the character and heritage value of the existing dwelling does not warrant this car park variation.
Setback (North-west)	1 metre	Nil	Supported- compliant with Cl.3.2.2-Buildings on Boundaries of the R Codes.
Outdoor Living Area	Behind the front setback area	Located within front setback area	Supported – approved as part of previous Planning Approval.
Consultation Submissions			
No advertising was required for this application as written consent of the affected adjoining neighbours was submitted with the application.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

The proposal was not advertised as the written consent of the affected adjoining neighbours was submitted with the application.

It should be noted that the previous application for demolition of existing dwelling and construction of two (2) x two (2) storey grouped dwellings included the approval of two car bays for both dwellings. As the existing dwelling is now being retained, this has affected the ability of the applicant to provide two car bays for the existing dwelling.

In light of the above, the proposed development is contrary to the provisions of the Town's Town Planning Scheme 1 and associated Policies and the Residential Design Codes, and is therefore recommended for refusal.

10.1.27 Planning and Building Policies - Amendment No. 19 Relating to Appendix No. 14 – Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley

Ward:	South	Date:	22 June 2005
Precinct:	Norfolk; P10	File Ref:	PLA0120
Attachments:	001_002		
Reporting Officer(s):	C Mooney		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the final amended version of the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in Attachment 10.1.27, resulting from the advertised versions having been reviewed and regard to the two written submissions received during the formal advertising period as outlined in Attachment 002, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final amended version of the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in Attachment 10.1.27; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final amended version of the adopted Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley as shown in Attachment 10.1.27, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1.*

Mayor Catania announced that Cr Chester had declared a proximity interest in Item 10.1.27. Cr Chester did not speak or vote and departed the Chamber at 7.35pm.

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Moved Cr Ker, Seconded Cr Farrell

That the following amendment be made to the Design Guidelines:

The words 'and side' be inserted after the word 'rear' in the first paragraph on page 5 of the Guidelines.

AMENDMENT CARRIED (7-0)

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr Farrell

That the following amendment be made to the Design Guidelines:

2) *CONTEXT*

Replace the first 3 sentences of the second paragraph with:

“The locality is generally characterised by single storey detached housing dating from the early decades of the 20th century.”

Continue with “Lot sizes and frontages ...”

AMENDMENT CARRIED (7-0)

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr Farrell

That the following amendment be made to the Design Guidelines:

“f) *SETBACKS*

Make setbacks for western boundary to be the same as for eastern boundary, requiring first floor to be setback 1.5 metres. This will reduce the visual impact of this 18 metres wide block of housing.

“Setbacks for the Eastern and Western Boundaries are ...” (i.e. as for western boundary) and

*Delete reference to different setbacks for Western Boundary
Change Figure 2 to match text’*

AMENDMENT CARRIED (7-0)

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr Ker

That the following amendment be made to the Design Guidelines:

“h) *Height*

add after references to lofts.

“A loft will only be permitted within the roofspace, and the roofspace will not be extended by means of extending wall heights above the floor level, or dormer windows to provide extra ceiling height within the loft.”

AMENDMENT CARRIED (7-0)

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr Maier

That the following amendment be made to the Design Guidelines:

“Walls on the eastern and western boundaries will not exceed 6 metres in height and figure needs to be amended to match the text.”

Debate ensued.

**AMENDMENT WITHDRAWN
WITH THE CONSENT OF THE SECONDER**

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Ker, Seconded Cr Messina

That the following amendment be made to the Design Guidelines:

“That figure 2 be changed to match the text.”

AMENDMENT CARRIED (7-0)

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Maier, Seconded Cr Messina

That the following amendment be made to the Design Guidelines:

“That the second to last sentence on page 4 be deleted.”

AMENDMENT CARRIED (7-0)

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr Ker

That the following amendment be made to the Design Guidelines:

“That the last two sentences on page 7 and the first 2 sentences on page 8 be deleted.”

AMENDMENT CARRIED (6-1)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Messina
Cr Farrell	
Cr Ker	
Cr Lake	
Cr Maier	
Cr Torre	

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (6-1)

<u>For</u>	<u>Against</u>
Cr Farrell	Mayor Catania
Cr Ker	
Cr Lake	
Cr Maier	
Cr Messina	
Cr Torre	

(Cr Chester was absent from the Chamber. Cr Doran-Wu was an apology.)

Cr Chester returned to the Chamber at 8.00pm and was advised by Mayor Catania that the item had been Carried with a substantial number of amendments.

COUNCIL DECISION ITEM 10.1.27

That the Council;

- (i) ***RECEIVES the final amended version of the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in Attachment 10.1.27, resulting from the advertised versions having been reviewed and regard to the two written submissions received during the formal advertising period as outlined in Attachment 002, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1;***
- (ii) ***ADOPTS the final amended version of the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in Attachment 10.1.27, subject to the Design Guidelines being amended as outlined at the Ordinary Meeting of Council held on 28 June 2005; and***
- (iii) ***AUTHORISES the Chief Executive Officer to advertise the final amended version of the adopted Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley as shown in Attachment 10.1.27 (and as amended at the Ordinary Meeting of Council held on 28 June 2005), in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1.***

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the final amended version of the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Part Lot 76), Chelmsford Road, Mount Lawley, and seek final adoption.

BACKGROUND:

The Council at its Ordinary Meeting held on 27 March 2001 resolved to adopt the Planning and Building Policy Manual dated 2001 with some amendments.

The Council at its Ordinary Meeting held on 8 March 2005 resolved the following:

“That the Council;

- (i) ***RECEIVES the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in the Attachment;***
- (ii) ***ADOPTS the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, to be applied in the interim subject to;***
 - (a) ***the word “few” in the third paragraph under the heading “2. Context” on Page 1 of 10 being deleted and replaced with the words “two (2)”;***
 - (b) ***the words “and maintaining access to direct sun to habitable rooms of adjoining properties” be added after the word “intrusion,” in paragraph two of 5(f) - Setbacks;***
 - (c) ***“Figure 2” being amended to be consistent with the modified text regarding western setback of 1.5 metres to the second storey;***

- (d) *paragraph two of 5(i)(i) being amended to read as follows;*
- “The pitch of primary roofing visible from the street is to be 30 degrees. A pitch of up to 40 45 degrees can be considered upon demonstration that the roof form complements the immediate surrounding areas.”*
- (e) *paragraph two of 5(ii)(a) being amended to read as follows;*
- “The use of ~~dormer and attic windows~~, verandahs, window projections on the ground and first floors, colours, materials and other appropriate design features is strongly encouraged to create greater visual interest, to assist with climate control, to reduce visual impact and to accentuate the vertical rhythm of the dwellings;” and*
- (f) *a new paragraph three under the heading “2. Context” be added as follows;*
- “The street or public face of the buildings on the lots should be detailed to provide visual richness and variety, reduce apparent bulk and enhance the individual identity of each building.”;*
- (iii) *ADVERTISES the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
- (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
- (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
- (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission; and*
- (iv) *after the expiry of the period for submissions:*
- (a) *reviews the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, having regard to any written submissions; and*
- (b) *determines the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, with or without amendment, to or not to proceed with them.”*

The relevant report presented to the Council at its Ordinary Meeting held on 8 March 2005 also stated the following:

“The Council at its Ordinary Meeting held on 22 February 2005 resolved the following:

“That the Item be DEFERRED to obtain advice on how best to handle the Guidelines.”

The Town’s Officers met with Councillor Cohen and Councillor Lake on Thursday, 3 March 2005 to discuss concerns regarding the Draft Design Guidelines raised at Council’s Ordinary Meeting held on 22 February 2005. Agreement was reached regarding concerns, the outcome being some minor amendments to the Guidelines to clarify and alleviate concerns.

Discussion focussed on the following:

- *Streetscape and Roofscape;*
- *Bulk and scale of pitched roofs;*
- *Second storey side setbacks; and*
- *Third storey loft concerns.*

Further Comments

The urgency of requiring the matter to be considered at the Ordinary Meeting of Council to be held on 8 March 2005 is that the conditions of subdivision approval imposed by the Western Australian Planning Commission are under Appeal and the matter relating to the Guidelines will be heard at the 6th Tribunal Directions Hearing on 11 March 2005. It is understood the Tribunal will be seeking assurance on the Council's position on the Guidelines. It is in the Town's best interest that the matter does not go to full appeal, as having the Design Guidelines allows for certainty of future development. It should be noted that throughout the process the applicant has liaised with both the Town and the WAPC to come to a favourable outcome.

The Draft Design Guidelines will allow for streetscape articulation and additionally allow for balance between the adjoining adjacent existing dwellings, and considering the impact of bulk and scale of future development. The subdivision layout encourages the development of two- storey townhouse forms inclusive of balconies and verandahs, in order to provide opportunity for an optimum balance between outdoor spaces and interaction with the streetscape and adjoining properties.

The Draft Design Guidelines in their revised form are considered to appropriately address the above concerns and that future built development will respect the amenity of the adjoining properties and the streetscape within the immediate locality, whilst not discouraging innovative design.

It should be noted that there are four examples of two-storey Townhouse construction within the immediate locality, located at Nos. 73-79 Chelmsford Road, corner of Hyde Street, Mount Lawley, which positively contribute to the immediate streetscape.

Design Guideline Amendments

Second Storey (upper floor) setbacks have been placed on both east and west boundaries to allow for single residential character to be presented to the streetscape. In regard to heights, the wording has been changed to emphasise that the future built structure are only to be two storeys and that maximum wall heights and roof wall heights of the Residential Design Codes are adhered to. This additionally addresses concerns regarding bulk and scale.

The wording under the roof form provision has been amended to allow for moderation within the roofscape especially in regard to primary frontages, that is, streetscape.

Amended wording within the context provision of the draft Design Guidelines noted from the previous Ordinary Meeting of Council held on 22 February 2005 have been incorporated into the amended Design Guidelines accordingly. “

CONSULTATION/ADVERTISING:

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

Advertising of the Draft Policy concluded on 3 May 2005. One submission was received in relation to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Part Lot 76), Chelmsford Road, Mount Lawley. A submission was also received from the applicant. The letter stating:

“Thank you for your letter of 14th March advising of the adoption of a Draft Policy for interim application, and of advertising of the draft design guidelines (made pursuant to this policy), and also of the general tenor of the single submission made up to closing date for public comment on the policy and guidelines, . . .

We confirm that the design guidelines advertised are an amended form of our own draft (already a third edition emerging out of the process of our negotiations with the WA Planning Commission), as submitted with our letter dated 2nd December 2004. This third draft has been discussed between your officers and ourselves and then further twice amended by the Town Council.

As for our discussions, we have until now deferred commenting on the Council's semi-final drafts, in order to comment both on the last version and any public comments. However, we now find, on behalf of our clients, at somewhat of a disadvantage, in that we are now refused permission to have a copy of the public submission because of Council's public consultation policies.

Access to Relevant Material

At this stage we simply register our clients' concern at being denied access to relevant documents in a matter that is before a tribunal, the Town Planning Appeal Tribunal (State Administrative Tribunal).

Whether this matter needs to be pursued in more depth will be dependent upon outcome with the Town.

However, we now comment on behalf of our clients on the adoption of the policy, the Council's draft of the guidelines as it stands, and the public comments as relayed. . . .”

The Schedule of Submissions including the Officer's Comments are shown in Attachment 002.

DETAILS:

Two submissions were received and as such amendments have been made, and comments are reflected in the Schedule of Submissions.

Further Comments Regarding Amendments to Final Document

- Wording has been changed in context from 'a two' to 'a few' to provide for clearer reading.
- Both submissions have concern with the second paragraph of Section 2 'Context', that it should be removed and only reflect the locality statement or to be amended to reflect original Draft Policy. Wording has been changed to accommodate these concerns.
- Side setback rewording has been amended to reflect the requests of both submissions.

- With regard to setbacks, the original diagrammatic subdivision plan with building envelopes and setback has been included. This satisfies the requirements of both the WAPC and that of the property owners and reflects the original development application approved by the Town on 11 December 2003.
- Various amendments have been made of which comments are reflected in the Schedule of Submissions.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 - Key Result Area One: Environment and Infrastructure:

"1.3 Develop, implement and promote sustainable urban design."

FINANCIAL/BUDGET IMPLICATIONS:

The current 2004/2005 Budget lists \$62,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

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

10.1.36 Nos. 378-390 (Lots 1,15, 2 and N118) Beaufort Street and No.1 (Lots 1, 14, N115 and N117) McCarthy Street, Perth - Proposed Construction of a Five-Storey Development and Basement Carparking Comprising Twenty-Eight (28) Service Apartments and Associated Office, and Eating House, Gymnasium and Three-Storey Development Comprising Twenty-Six (26) Multiple Dwellings, and Retention of Single House Facing McCarthy Street

Ward:	South	Date:	22 June 2005
Precinct:	Forrest; P14	File Ref:	PRO0083; 00/33/2724
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Bollig Design Group on behalf of the owner Civic Rise Pty Ltd for proposed Construction of a Five-Storey Development and Basement Carparking Comprising Twenty-Eight (28) Service Apartments and Associated Office, Eating House, and Gymnasium and Three-Storey Development comprising Twenty-Six (26) Multiple Dwellings, and retention of Single House facing McCarthy Street at Nos. 378-390 (Lots 1, 15, 2, and N118) Beaufort Street and No.1 (Lots 1, 14, N115 and N117) McCarthy Street, Perth, and as shown on plans stamp-dated 17 February 2005 (site plans, floor plans and elevations, excluding McCarthy Street elevation), and 12 April 2005 subject to:

- (i) *the support/approval of the Department for Planning and Infrastructure and/or Western Australian Planning Commission, and compliance with its comments and conditions at the applicant(s)/owner(s)' full expense;*
- (ii) *prior to the issue of a Building Licence, the subject land except Lot 14 McCarthy Street shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$70,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$70,000, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

- (iv) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) *first obtaining the consent of the owners of No. 346 (Lot 5) Beaufort Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 346 (Lot 5) Beaufort Street description of adjoining land in a good and clean condition;*
- (vi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (vii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and minimum heavy vehicle access via McCarthy Street, dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*
- (viii) *prior to the first occupation of the development, two (2) class- one or two and four (4) class- three bicycle parking facilities, shall be provided at a location convenient to the entrance and within the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (ix) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (a) *The use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
 - (b) *a maximum of one (1) bedroom and two (2) occupants are permitted in each single bedroom dwelling at any one time; and*
 - (c) *the floor plan layout for the single bedroom dwellings are to be maintained in accordance with the Planning Approval plans.*

This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;
- (xi) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*

- (xii) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street, and the accessway roller grille adjacent to the Beaufort Street frontage shall be visually permeable for a minimum of 50 per cent in accordance with the Town's Policy regarding Security Roller Shutters, Doors and Grilles on Non-Residential Buildings;*
- (xiii) *prior to the first occupation of the development, the car parking spaces provided for the residential component of the development, including four (4) visitors bays, shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xiv) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (xv) *all pedestrian access and vehicle driveway/crossover levels shall match into existing verge/footpath levels;*
- (xvi) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, all balconies, living rooms and bedrooms as indicated and circled (S) on the site plans within 7.5, 6.0 and 4.5 metres respectively, to the non-street boundaries, shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;*
- (xvii) *the maximum floor space for the eating house (café) shall be limited to 140 square metres of gross floor area open to the public; unless adequate carparking is provided for the changes in floor area;*
- (xviii) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings/service apartments that:*

"the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development";
- (xix) *prior to the issue of a Building Licence, a Construction Staging Plan shall be submitted to and approved by the Town, indicating the staging of the development and all major construction works associated with each stage, with particular reference to the planning conditions that are required to be complied with prior to the first occupation of the development;*
- (xx) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

- (xxi) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Beaufort and McCarthy Streets shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (xxii) *a raised central median island shall be provided on Beaufort Street to exclude the right hand turn from the vehicle exit from this development at the owner's full cost and subject to approval from the Department for Planning and Infrastructure;*
- (xxiii) *prior to the first occupation of the development, the full length and width of the right of way from McCarthy Street to the southern most boundary abutting the subject land shall be resealed, to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xxiv) *a bond and/or bank guarantee for \$ 9,500 for the full reseal of the right of way shall be lodged prior to the issue of a Building Licence;*
- (xxv) *a detailed landscaping plan, including a list of plant and the landscaping and reticulation of the Beaufort and McCarthy Street(s) verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (xxvi) *prior to the first occupation of the development, the full length and width of the access way from Beaufort Street to the south eastern most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xxvii) *a bond and/or bank guarantee for \$11,000 for the full upgrade of the access way and the construction of the median island shall be lodged prior to the issue of a Building Licence for this development;*
- (xxviii) *any modification to the access way adjacent to the north boundary of this development must not impede access or egress to any adjoining lots;*
- (xxix) *the gymnasium and offices shall be associated, incidental and ancillary to the on-site service apartments and multiple dwellings only;*
- (xxx) *prior to the issue of a Building Licence, the applicant/owner shall provide written documentation from all property owners who have a legal right of access over the right of carriageway (accessway) on the north side of the property that they have consented to the access arrangement proposed in the development as shown on the attached plans;*
- (xxxi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *a continuous and complementary awning being provided over the adjacent footpath along the Beaufort Street frontage of the service apartment development;*
 - (b) *speed humps being provided on the right of way along the rear (south) and north sides of the property;*

- (c) *the exit access way onto Beaufort Street being increased to 5.5 metres wide for the first 6.0 metres to provide for " vehicle storage"; and*
- (d) *design of the exits to the rear right of way to preclude left hand turns from the subject site.*

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

(xxxii) *the owners/applicants shall undertake appropriate and adequate measures for the ongoing retention of the existing single house at No.1 (Lot 14) McCarthy Street, Perth. Details of these measures shall be submitted to and approved by the Town, prior to the issue of a Building Licence; and*

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

COUNCIL DECISION ITEM 10.1.36

Moved Cr Farrell, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

CARRIED (8-0)

Landowner:	Civic Rise Pty Ltd
Applicant:	Bollig Design Group
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial & Residential R80
Existing Land Use:	Former Civic Theatre Restaurant and two single houses
Use Class:	Eating House, Service Apartments, Multiple Dwelling and Single House
Use Classification:	"P, SA, P and P"
Lot Area:	3631 square metres
Access to Right of Way	South side, 5.0 metres wide, sealed, Town owned. South-east side, 2.74 metres wide, unsealed and privately owned.

BACKGROUND:

9 March 2004: At its Ordinary Meeting, the Council conditionally approved the demolition of the Civic Theatre Restaurant and one (1) single house at Nos. 378-390 (Lots 1, 15, 1 and 2) Beaufort Street, Perth, but- refused the proposed demolition of the existing single house at No. 1 (Lot 14) McCarthy Street, Perth.

13 April 2004: At its Ordinary Meeting, the Council conditionally approved the construction of a five-storey development comprising twenty-eight (28) service apartments and associated office, eating house, gymnasium and basement carparking,

three-storey development comprising twenty-six (26) multiple dwellings , and retention of a single house facing McCarthy Street, at No.378-390 (Lots 1, 15, 2 and N118) Beaufort Street and No.1 (Lots 1, 14, N115 and N117) McCarthy Street, Perth.

3 May 2004: The proposal approved at the OMC on 13 April 2004 was also conditionally approved by the Western Australian Planning Commission (WAPC).

Below is a verbatim of the site history from the relevant report to the Ordinary Meeting of Council on 13 April 2004:

"The adjacent lot to the south of the above property along Beaufort Street and McCarthy Street is also zoned commercial with the lots to the north being residential zoned lots. The existing buildings on the site include a single house, which is vacant, another single house facing McCarthy Street, which is occupied, and a theatre and restaurant (Civic Theatre), which has since ceased operating. There is currently a right of way (ROW) which connects McCarthy Street to Bulwer Street to the rear (south side) of the development site. The ROW at the rear (south) side is sealed and owned by the Town. There is also a right of carriageway shown on the site survey to the north of the above site, which is owned by private individuals and unsealed."

DETAILS:

The existing "Civic Theatre" and one (1) of the two (2) single houses are to be demolished for the construction of a five-storey development and basement comprising twenty-eight (28) service apartments and associated office, eating house, gymnasium, basement carparking, and a three-storey development comprising twenty six (26) multiple dwellings, which are made up of 10 single bedroom dwellings and 16 two bedroom dwellings. The single house at No.1 McCarthy Street is to be retained. The overall height of the proposal has being increased by 1.4 metres.

The service apartments would be sold as investment apartments and managed by Quest Apartments or another operator. The multiple dwellings will be sold permanently and controlled by a Body Corporate. The proposed 28 service apartments are made up of 24 two-bedrooms and 4 three-bedroom apartments. Each of the 28 apartments can be further used as two separate units if required. The applicants have advised that most service apartments are now designed to operate in such a manner to cater for varying demand needs.

The applicant has advised that the previous information provided for the Report to the Ordinary Meeting of the Council held on 13 April 2004 is similar for the current proposal except for the changes in the floor area for the cafe, height of building, location of swimming pool and gymnasium, which is summarised as follows:

- The reason for the revised plans is primarily due to the high water table of approximately 500 to 800 millimetres below the current ground level. This has resulted in the inability to form a below ground basement due to the high inflow of water from the water table, which is far too great to de-water into the Town's stormwater system during and after construction.
- Increased setbacks to the boundary and reduced overshadowing due to rationalisation of design.
- Reduced vehicle access onto McCarthy Street.
- The lots are to be amalgamated. The Water Corporation who own some of the parcels of land have advised that the existing sewer, which is located on the site is still operational and needs to be protected by way of an easement with all cost being borne by the developer.

- The floor area of the café open to the public is 140 square metres.
- A continuous canopy will be provided along Beaufort Street in front of the service apartments.
- All Building Code of Australia requirements will be fulfilled and complied with during the Building Licence stage.
- Provision of 91 car bays, which include one car bay for person with disabilities.
- The service apartments are likely to have a 60 to 70 percent occupancy rate. There is also a high level of reciprocity between the service apartment users and the café, and the likely use of the café by local businesses and residents, who would probably walk to the facility.

Based on the above calculation as indicated in the traffic impact study, 79 car bays are required by the proposed development, which is based on Road Traffic Authority (RTA) NSW "Guidelines to Traffic Generating Development", which is based on actual traffic survey data of existing developments.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	1.0 (3631 square metres)	1.48 (5389 square metres)	Supported - as the variation is similar to the previous 13 April 2004 approval.
Density	R80	R62	Supported - no variation.
No. of storeys-commercial land	3 storeys (including loft)	5 storeys and basement carparking	Supported - as the variation is similar to the previous 13 April 2004 approval.
No. of storeys-Residential Land	2 storeys (including loft)	3 storeys	Supported - as the variation is similar to the previous 13 April 2004 approval.
Carparking	122 car bays	91 car bays	Supported - for the reasons stated in the "Comments" section.
Ground floor-north	5.7 metres	2.15 metres	Supported - for the reasons stated in the "Comments" section.
First floor-east	6 metres	3.2 metres	"
First floor-east	7.3 metres	2.485 metres	"
First floor-west	4 metres	3.6 metres	"
Second floor-north	8.5 metres	2.6 metres	"
Second floor-north	4.8 metres	2.6 metres	"
Second floor-east	7.5 metres	3.5 metres	"
Second Floor-east	8.5 metres	5.8 metres	"

Second floor-south	9.8 metres	1.4 metres	"
Second floor-west	4 metres	3.6 metres	"
Third floor-south	12 metres	1.4 metres	"
Third floor-east (ROW)	10.3 metres	3.6 metres	"
Fourth floor-south	14 metres	1.4 metres	"
Fourth floor-east (ROW)	12 metres	3.6 metres	"
Privacy Setbacks Balcony Lounge Bedroom	7.5 metres 6 metres 4.5 metres	Less than 7.5, 6.0 and 4.5 metres respectively	Not Supported - an appropriate privacy condition has been recommended for the reasons stated in the "Comments" section.
Single Bedroom Plot Ratio	60 square metres	67 to 96 square metres.	Supported - for the reasons stated in the "Comments" section.

Consultation Submissions

Objection (1)	<ul style="list-style-type: none"> • It does not conform to the Town's Planning Scheme. • Concerned about the height and its impact on adjoining properties or properties within close proximity. • Concerned about traffic generation and carparking that will be drawn to the area. All carparking to be contained on site. • Of the view that the proposal will not add significant value to the community at large. 	<p>Not supported-as the Town has the ability through its Town Planning Scheme and Policies to vary requirements based on individual merit of the development proposal, as in this case.</p> <p>Not supported-as there are other similar high rise building in the area. This is further expanded in the "Comments" Section.</p> <p>Not supported-as the traffic impact statement demonstrates the traffic generation and movement is within acceptable standards. This is further supported by the Department for Planning and Infrastructure and assessment undertaken by the Town's Technical Services.</p> <p>Not supported-as the above proposal may be a catalyst for other similar type of development in</p>
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		the area, and will upgrade and make better use of the site, which is currently unoccupied for the last few years.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil
Car Parking		
Requirements as per Parking and Access Policy		Required No. of Car bays
Eating house (café): 1 car bay per 4.5 square metres gross floor area open to the public (proposed 140 square metres).		31.11 car bays
Total carparking required before adjustment factor (nearest whole number)		31 car bays
Apply the parking adjustment factors.		(0.6864)
<ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.85 (within 400 metres of one or more public car parks in excess of 50 spaces) ▪ 0.95 (provision of bicycle parking facilities) 		21.28 car bays
Carparking provided on-site for commercial component		22 car bays
Resultant surplus		0.72 car bay
Bicycle Parking		
Requirements	Required	Provided
Retail		
1 space per 100 (proposed 155) square metres public area for employees (class 1 or 2).	1.55 spaces	No bicycle parking facilities shown on the plans
2 spaces plus 1 space per 100 (proposed 155) square metres for visitors (class 3).	3.55 spaces	

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

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

Consultation/Advertising

The above proposal has been advertised for 14 days to affected landowners and occupiers along McCarthy and Beaufort Streets, who were previously consulted in the original application which was approved on 13 April 2004.

The proposal has been referred to Western Australian Planning Commission (WAPC) as the proposal abuts Beaufort Street, which is classified as an "Other Regional Road" and also due to regional implications. Furthermore, two new access crossovers have been proposed with a left in and a left out access only onto Beaufort Street. The Town has not received a determination from the WAPC at the time of preparation of the Agenda Report, however the Urban Transport Section of the Department for Planning and Infrastructure have advised by letter dated 17 March 2005 that the proposed access arrangements are acceptable.

Residential and Service Apartments Car Parking Requirements

Car parking requirements for the residential component of the development have been calculated using the requirement for multiple dwellings and single bedroom multiple dwellings from the Residential Design Codes (R Codes). The residential component requires

forty one (41) car bays, which is inclusive of four (4) visitors car bays. It is considered appropriate that a minimum of four (4) car bays are made available for visitors' use associated with the multiple dwellings, which are to be marked and sign posted on-site accordingly.

Density

The residential density of R80 only applies to the residential component of the above proposal. The proposed development is 10 single multiple dwellings, 16 two-bedroom multiple dwellings and retention of the one single house, which is well within the density requirements applying to the site. There is no density requirements for service apartments, which are considered as a commercial development. The above sites are zoned Residential and Commercial.

COMMENTS:

Carparking

Based on the applicants' previous advice that for service apartments, a 100 per cent full occupancy is rare. One of the most successful service apartments in Perth is located in Subiaco, where the average occupancy is 85 per cent. If the carparking was based on 60 to 70 per cent occupancy as per the details given in the traffic impact study, the carparking requirement for the service apartments would be 36 to 42 car bays. The car bays required as per the Town's Parking and Access Policy is 60 car bays. The applicant is providing 29 car bays for the service apartment use, which equates to approximately 48 percent of the required amount. 29 car bays are considered acceptable taking into account the reciprocity involved between the café and the service apartments users.

On the above basis, a total of forty one (41) car bays are required for the residential units, with the balance of twenty-two (22) car bays being provided for the eating house (café) and twenty-nine (29) car bays being allocated for the service apartments is considered reasonable for this particular proposal.

Height

The Town's Policy relating to the Forrest Precinct - Building Height permits a maximum height of three-storeys, including a loft, within the Commercial zoned land and two-storey including a loft for the Residential zoned land. The site is separated by a rear road and ROW to the adjacent residential dwellings, which are either single or two-storey in height, but abuts a site to the north, which has a single-storey house. The building to the south is a two-storey commercial building. There is a seven and three and a half-storey development on the northern side of Beaufort Street, directly opposite the above site.

In this instance, a five-storey development and basement carparking and a three-storey development are considered acceptable in the context of the height, scale and nature of adjacent commercial/ residential buildings. The current proposal is approximately 1.4 metres higher than the previous 13 April 2004 approved development, and is due to the high water table.

Privacy

It is recommended that all openings to balconies, living rooms and bedrooms windows within 7.5, 6.0 and 4.5 metres to the north and south boundaries be screened to a height of 1.6 metres from the finished floor level above 0.5 metre from natural ground level with fixed obscured glass or other similar material so as to comply with the privacy requirements of the Residential Design Codes. By imposing the above privacy conditions will in fact reduce the setback variations proposed as the setbacks to the lot boundaries will be based on non-major openings rather than major openings for the bedrooms and living rooms.

Setbacks

The setback variations requested are partly due to the height of the proposal. Most of the other high rise developments, if they were to be built under current standards, would also involve setback variations. With the imposition of privacy requirements as per the R-Codes, the setback variations requested will be further reduced. The owners have made efforts to retain one of the existing single houses based on heritage value, which partly influenced setbacks. There are also other site constraints such as the Water Corporation sewer infrastructure running through the site. Staggering of the heights of the development has also contributed to achieving an acceptable streetscape contributing to the compatibility with other similar high rise building in the immediate vicinity.

Plot Ratio

The plot ratio requirement applicable to the site is 1.0 (3631 square metres) under the R80 requirements. The proposed plot ratio is 1.48 (5389 square metres), which excludes the ground floor service apartments associated uses, but includes the Managers dwelling. If the service apartment was solely dealt with as a separate application on the Commercial zoned land as currently proposed, then there would not have been any plot ratio requirements.

For mixed use development sites, should too high a standard be imposed, this may discourage the concept and viability of mixed use developments. The Town has in the past, considered higher plot ratios for mixed-use developments, provided that the "total development package" fitted in with the surrounding development, including likely benefits to be derived by such integrated developments.

The proposed plot ratio variation is considered reasonable and is supported.

Single Bedroom Plot Ratio

It is considered that the purpose of the single bedroom plot ratio provision is to control the bulk and scale of a development and to ensure that proposed single bedroom dwellings provide limited accommodation that are suitable for one or two persons, for the purpose of addressing density and car parking.

The applicant has contended that the proposed single bedroom dwellings are in accordance with the R-Codes performance criteria, which state proposed single bedroom dwellings provide limited accommodation that are suitable for one or two persons. This assertion is supported on the basis that attached Plan DA 204 demonstrates that another bedroom cannot be reasonably accommodated and that this matter has been further conditioned in the Officer Recommendation.

This variation is therefore considered acceptable in this instance.

Open Space

Below is a verbatim of the site history from the relevant report to the Ordinary Meeting of Council held on 13 April 2004:

"For mixed use developments, if the multiple dwellings are located above the commercial units, only balcony space is needed to be provided. The balconies provided comply with the R-Codes requirements (i.e. 1.5 metres deep and 4 metres long). However Policy 3.4.5 (Mixed Residential/Commercial Development) does not state that any open space is required to be provided for separate multiple dwellings on the same lot. The non provision of open space is consistent with the R-Codes under clause 4.2.1 where it states that open space is generally "nil".

Overshadowing

The proposal generally complies with the solar access requirements as indicated in the R-Codes, with most of the overshadowing over the adjoining lot to the south at No.346 Beaufort Street. The adjoining southern lot is a commercially zoned and developed for commercial purposes. As such, the overshadowing is considered acceptable in this instance.

Traffic and Access

With regard to the impact that the latest amendments to this proposed development will have on present traffic flows, the Town's Technical Services has advised that all traffic from this development is now directed away from McCarthy Street either along the rear ROW to Bulwer Street or directly to Beaufort Street. Therefore, any increase in traffic volume in McCarthy Street should be negligible (only errant drivers prepared to make difficult manoeuvres). As stated in the Traffic Impact Study by Shawmac Pty Ltd, 70 per cent (192 vehicles per day (VPD)) of the generated traffic will use the Beaufort Street accesses and the remaining 30 percent (83 VPD) will use the rear ROW to or from Bulwer Street. Vehicles turning right into the proposed access from Beaufort Street may cause some hold up along Beaufort Street however, this should only occur during peak hours and should be of no great consequence.

To ensure no right turn into Beaufort Street from the proposed vehicle exit the Town will require a central median island to be constructed at the owner's/developer's expense on Beaufort Street to block this manoeuvre. The amendments proposing the access to and from Beaufort Street can only be supported if a legal right of access to the ROW on the north of the proposed development can be obtained by the developers, and if a one way traffic arrangement can be agreed upon by all other legal users of this access way. It is recommended that speed humps be installed within both ROW - to the north and rear of the development.

The applicant proposes a vehicle exit to Beaufort Street, along an adjoining ROW to the north of the development site. This ROW is used as vehicle access to the neighbouring property No.392 Beaufort Street. This, as well as the central median island to be constructed in Beaufort Street, has the potential to compromise vehicle access to the neighbouring property and therefore should be considered in any agreement with the owners of this property.

On the whole, the above proposal is supportable in terms of traffic and access.

Trees

Below is a verbatim of the site history from the relevant report to the Ordinary Meeting of Council held on 13 April 2004:

"Both the trees on the McCarthy Street frontage adjacent to the above site are to be retained. There is currently one (1) tree on site which is listed on the Town's Interim Significant Tree Data Base Reference (List 3), which is proposed to be removed. There is no objection to the removal of the above tree on-site, as there is not legal status that the Town can impose that the subject tree be retained. The proposed development requires the tree to be removed."

Bin Storage

Below is a verbatim of the site history from the relevant report to the Ordinary Meeting of Council held on 13 April 2004:

"The Town's Health Services have advised that it is satisfied with the location of the residential and commercial bin storage area as shown on the submitted plans".

Demolition

Below is a verbatim of the site history from the relevant report to the Ordinary Meeting of Council held on 13 April 2004:

"Two of the above buildings on-site (former Civic Theatre and a single house) have been conditionally approved for demolition by the Council at its Ordinary Meeting held on 9 March 2004. The remaining one (1) single house at No. 1 McCarthy Street is being retained and has been incorporated within the above development proposal."

Summary

The proposal is supported as it is considered not to unreasonably affect the amenity of the adjacent or surrounding area. On the above basis, the proposal is recommended for approval.

10.1.26 Tenancy 9, Nos. 375-393 (Lot 500, Strata Lot 9) William Street, Corner Forbes Road and Wellman Street, Perth - Proposed Change of Use from Unlisted Use Class (Karaoke Bar) to Tavern

Ward:	South	Date:	21 June 2005
Precinct:	Beaufort; P13	File Ref:	PRO0825; 00/33/2911
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by HTS Consultants Pty Ltd on behalf of the owner Lukman Enterprises Pty Ltd and Limegrove Pty Ltd for proposed Change of Use from Unlisted Use Class (Karaoke Bar) to Tavern, at Tenancy 9, Nos. 375-393 (Lot 500, Strata Lot 9) William Street, corner Forbes Road and Wellman Street, Perth, and as shown on plans stamp-dated 9 June 2005, subject to:

- (i) the tavern use shall not operate independently of the "karaoke lounge" use on-site at any time;*
- (ii) the floor plan is to remain as shown on the approved plans at all times. Details of any changes to the floor plan shall be submitted to and approved by the Town prior to such changes occurring;*
- (iii) this approval for a tavern use is for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the Town prior to continuation of the use;*
- (iv) compliance the Environmental Protection (Noise) Regulations 1997 at all times;*
- (v) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) the public floor area of the tavern/karaoke lounge shall be limited to 153 square metres;*
- (vii) a maximum of sixty (60) people, inclusive of staff, are permitted to be at the premises at any one time;*
- (viii) the hours of operation for the tavern/karaoke lounge shall be restricted to 10am to midnight;*
- (ix) the recommendations of the acoustic report dated 30 August 2004 prepared by Langford Acoustical Services, shall be implemented prior to the first occupation of the development and thereafter maintained to the absolute satisfaction of the Town; and*
- (x) the management plan entitled "The House Policy of Oriole Karaoke Pty. Ltd." submitted to the Town being revised to address littering as well as responsible service practices, staff training, customer complaints, intoxication and other unacceptable behaviours, juveniles, local amenity and security, and shall be implemented as from the first occupation of the development and thereafter maintained and adhered to.*

COUNCIL DECISION ITEM 10.1.26

Moved Cr Lake, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (6-2)

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

Landowner:	Lukman Enterprises Pty Ltd & Limegrove Pty Ltd
Applicant:	HTS Consultants Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Eating Houses & Shops
Use Class:	Tavern
Use Classification:	"SA"
Lot Area:	4490 square metres
Access to Right of Way	N/A

BACKGROUND:

- 28 September 2004 The Council at its Ordinary Meeting resolved to conditionally approve an application for proposed alterations and additions to existing eating house and change of use to unlisted use class (karaoke bar) at the subject property.
- 3 February 2005 Conditional approval was granted under delegated authority by the Town for signage to approved unlisted use class (karaoke bar) at the subject property.
- 14 June 2005 The Council at its Ordinary Meeting resolved to conditionally approve an application for proposed alterations and additions to existing eating house and change of use to unlisted use class (karaoke bar) - reconsideration of conditions, at the subject property.

DETAILS:

The proposal involves change of use from unlisted use (karaoke bar) to tavern. The applicant has indicated that the proposal does not seek to change the nature of the use or the conditions placed on the previous approval for unlisted use class (karaoke bar) in any way and that the purpose of the subject application has transpired as a result of a request from the Acting Director of Liquor Licencing, who has advised the applicant that a Liquor Licence will only be issued if the proposed use terminology is changed. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
As the proposal does not seek to change the nature of the use or the conditions placed on the previous approval for unlisted use class (karaoke bar), the proposal was not advertised for comments. All previous objectors of the proposal however, have been notified of the consideration of subject proposal at Ordinary Meeting of Council and advised that they have the opportunity to address the Council should they wish to comment on the matter.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car parking requirement (nearest whole number) The proposal requires 40.21 parking bays as per the greater requirement of 1 space per 3.8 square metres of public floor area for tavern (based upon 153 square metres, as conditioned in Officer Recommendation).			107 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 50 spaces) 			(0.7225) 77.31 car bays
Minus the car parking provided on-site			78 car bays, as shown on the submitted plans
Minus the most recently approved on-site car parking shortfall * due to addition of new car park approved by the Council in 1996, it is not considered that there is any existing shortfall.			*
Resultant surplus			0.69 car bay

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

COMMENTS:

While the proposed use has been classified as a 'tavern', the 'tavern' aspect is considered to be only an ancillary use to the overall proposal, as indicated by the floor plan and previous conditionally approved planning applications.

In light of the above, and on the basis that the proposal is not seeking to change the nature of the use or the conditions placed on the previous approval for unlisted use class (karaoke bar), the subject proposal is recommended for approval, subject to standard and appropriate conditions, including conditions not allowing the tavern use to operate independently of the "karaoke lounge" use at any time and the floor plan remaining as shown on the plans.

**10.1.34 Amendment No. 26 to Planning and Building Policies - Appendix No. 15
- Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace,
Mount Lawley**

Ward:	South	Date:	22 June 2005
Precinct:	Banks; P15	File Ref:	PRO2620, 551-05
Attachments:	001		
Reporting Officer(s):	C Mooney		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, as shown in the Attachment;*
- (ii) *ADVERTISES the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
 - (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission;*
- (iii) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, having regard to any written submissions; and*
 - (b) *DETERMINES the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, with or without amendment, to or not to proceed with them; and*
- (iv) *REQUESTS the applicant to provide an updated Management Plan – Appendix A for the Significant Camphor Laurel tree that addresses the proposed 4 lot survey strata subdivision, prior to finalisation of the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, as shown in the Attachment.*

Moved Cr Ker, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Cr Torre departed the Chamber at 8.07pm.

Debate ensued.

Cr Torre returned to the Chamber at 8.12pm.

Moved Cr Ker, Seconded Cr Lake

That the item be DEFERRED for consideration at the next forum.

LOST (3-5)

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

(Cr Doran-Wu was an apology.)

Moved Cr Ker, Seconded Cr Lake

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

“(ii) (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy or have previously made a submission, including signing petitions, on development applications for the subject site; and*”

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Moved Cr Ker, Seconded Cr Farrell

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

“(vi) *notes that a development application will be required for the proposed development.*”

AMENDMENT CARRIED (5-3)

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

(Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr Torre

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

“(v) *AMENDS the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, as shown in the*

Attachment, by amending the following, prior to clauses (i), (ii) and (iii) above, being actioned:

“2) CONTEXT

The immediate area is predominantly single residential with a number of two storey town house developments ~~and multi residential apartments.~~

4) ii) Setbacks

All external setbacks for: . . .

Lot 4: Southern, ~~and~~ western and northern boundaries;

~~as shown on the Subdivision Guide Plan,~~ are to be in accordance with the Residential Design Codes.....”

“4) v) Height and Scale

Lot 27 Joel Terrace, is further affected by a building height restriction on the Certificate of Title, of 13.120 metres to the ridge line.”

“4) x) Car Parking and Access

Motor vehicle accesses are to be to/from Joel Terrace via the battleaxe accessway in accordance with the Residential Design Codes. The accessway to Lots 1, 2, 3 and 4 is via a shared accessway, which forms part of a wider reciprocal accessway used by other adjoining properties....”

“4) xii) Land Use

Maximum of one dwelling on each lot.”

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (6-2)

For

Mayor Catania

Cr Farrell

Cr Lake

Cr Maier

Cr Messina

Cr Torre

Against

Cr Chester

Cr Ker

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.34

That the Council;

- (i) ***RECEIVES the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, as shown in the Attachment;***
- (ii) ***ADVERTISES the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:***
 - (a) ***advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;***
 - (b) ***where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy or have previously made a submission, including signing petitions, on development applications for the subject site; and***
 - (c) ***forwarding a copy of the subject Policy to the Western Australian Planning Commission;***
- (iii) ***after the expiry of the period for submissions:***
 - (a) ***REVIEWS the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, having regard to any written submissions; and***
 - (b) ***DETERMINES the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, with or without amendment, to or not to proceed with them;***
- (iv) ***REQUESTS the applicant to provide an updated Management Plan – Appendix A for the Significant Camphor Laurel tree that addresses the proposed 4 lot survey strata subdivision, prior to finalisation of the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, as shown in the Attachment;***
- (v) ***AMENDS the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley, as shown in the Attachment, by amending the following, prior to clauses (i), (ii) and (iii) above, being actioned:***

“2) CONTEXT

The immediate area is predominantly single residential with a number of two storey town house developments and multi residential apartments.

4) ii) Setbacks

All external setbacks for: . . .

Lot 4: Southern, ~~and~~ western and northern boundaries;

as shown on the Subdivision Guide Plan, are to be in accordance with the Residential Design Codes.....”

“4) v) *Height and Scale*

Lot 27 Joel Terrace, is further affected by a building height restriction on the Certificate of Title, of 13.120 metres to the ridge line.”

“4) x) *Car Parking and Access*

Motor vehicle accesses are to be to/from Joel Terrace via the battleaxe accessway in accordance with the Residential Design Codes. The accessway to Lots 1, 2, 3 and 4 is via a shared accessway, which forms part of a wider reciprocal accessway used by other adjoining properties....”

“4) xii) *Land Use*

Maximum of one dwelling on each lot; and

(vi) *notes that a development application will be required for the proposed development.*

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley and to seek Council's initial adoption.

BACKGROUND:

- 28 September 2004: The Council at its Ordinary Meeting resolved to refuse the proposed three (3) two-storey and four (4) three-storey grouped dwellings and survey strata subdivision 63-04 at Nos. 128-130 (Lots 28 and 27) Joel Terrace, Mount Lawley.
- 25 October 2004: Appeal lodged against the Council refusal for the development approval only, by the applicant/owners at the Town Planning Appeal Tribunal (now State Administrative Tribunal).
- 22 December 2004: Appeal dismissed by the Town Planning Appeal Tribunal.
- 18 January 2005: Appeal determination reported to Ordinary Meeting of Council.
- 24 May 2005: The Council at its Ordinary Meeting considered the proposed pruning of the Camphor Laurel tree as listed on the Town's Trees of Significance Inventory, at Nos. 128-130 (Lot 28) Joel Terrace, Mount Lawley, and resolved "*That the item Lie on the Table.*"
- 25 May 2005: Draft Design Guidelines requested to be presented to the Council for consideration.
- 30 May 2005: A four lot survey strata subdivision was received by the Town from the Western Australian Planning Commission.

DETAILS:

The Town received correspondence dated 25 May 2005 from the applicant, SJB Town Planners, for the above mentioned property with attached Draft Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley stating:

"A subdivision application (ref No. 551-05) has been lodged for the above property, in accordance with the various recent discussions. Attached are the draft Design Guidelines to control future development on the 4 lots. These Design Guidelines are prepared on the understanding;

- 1. a plate height condition will not be imposed.*
- 2. a development application will not be required for any of the lots . . . "*

The Draft Design Guidelines are considered generally acceptable in its current form. The Draft Design Guidelines have been reformatted to complement with the Town's Planning and Building Policies and is shown in the Attachment.

It should be noted that the survey strata subdivision will be presented to the Council at its Ordinary Meeting to be held on 28 June 2005. The current proposal is to create lots with areas between 314 and 350 square metres. The common property has an area of 239 square metres.

CONSULTATION/ADVERTISING:

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

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and the Residential Design Codes.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 – Key Result Area One: Environment and Infrastructure:
"1.3 Develop, implement and promote sustainable urban design."

FINANCIAL/BUDGET IMPLICATIONS:

The current 2004/2005 Budget allocates \$62,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

Plot Ratio and Open Space

It is considered reasonable to allow a plot ratio of 0.75 compared to the Residential Design Codes requirement of 0.65, and to allow open space to be 40 per cent compared to 45 per cent provision in the Residential Design Codes, for the following reasons:

- The reduction to a four lot survey strata subdivision;
- Not to have any undue impact on the amenity of the surrounding area; and
- Preservation of the significant Camphor Laurel tree.

Height

The maximum wall height is 6 metres and the maximum roof height is 9 metres in accordance with the Town's draft Policy relating to Residential Design Elements and Residential Design Codes.

Setbacks

The boundary setbacks are as per the Residential Design Codes, internal boundaries to the lots can be nil. The Swan River Trust setback requirements apply to the Swan River Foreshore Reserve boundary.

Camphor Laurel Tree

The Management Plan for the preservation of the significant Camphor Laurel tree has been placed within the Draft Policy. Further height restrictions apply to the development on proposed Lot 4 on which the tree is situated. In line with the Officer Recommendation, it is requested that the applicant provide an updated version of the Management Plan for the significant Camphor Laurel tree, in light of the revised subdivision plan resulting in a four lot survey strata subdivision.

Summary

The Draft Design Guidelines have been developed to supplement the event of survey strata subdivision and to additionally ensure the retention and proper management of the significant Camphor Laurel tree.

The Draft Design Guidelines are considered appropriate in their current form and allow for diversity of development whilst acknowledging the need to preserve the amenity of the surrounding built area and river foreshore.

In light of the above, it is recommended that the Council adopts the Draft Policy relating to Appendix No. 15 - Design Guidelines for Nos. 128-130 (Lots 27 and 28) Joel Terrace, Mount Lawley and advertises the Draft Policy in accordance with clause 47 of the Town of Vincent Town Planning Scheme No. 1.

10.1.35 Nos. 128 & 130 (Lots 28 & 27) Joel Terrace, Mount Lawley - Proposed Survey Strata Subdivision (WAPC Ref: 551-05)

Ward:	South	Date:	21 June 2005
Precinct:	Banks; P15	File Ref:	551-05
Attachments:	001		
Reporting Officer(s):	R Rasaratnam		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission of the application submitted by SJB Town Planners on behalf of the owner MI Lurie & NJ Aitken (Joel Terrace Unit Trust) for proposed Survey Strata Subdivision, at Nos. 128 & 130 (Lots 28 & 27) Joel Terrace, Mount Lawley, and as shown on plans stamp-dated 3 May 2005 (WAPC Ref: 551-05), subject to:

- (i) *the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. The maximum permitted amount of fill and height of associated retaining walls is 500 millimetres above the existing pre-subdivision ground level, and any greater amount of fill or higher retaining wall requires a separate Planning Approval to be applied to and obtained from the Town of Vincent;*
- (ii) *support of the subdivision is not to be construed as support of any development on the proposed lots;*
- (iii) *detailed residential design guidelines including the following, but not limited to landuse, location of boundary walls, pedestrian and motor vehicle access and manoeuvring, car parking, setbacks, design of the dwelling on proposed Lot 4 to ensure retention, protection and on-going preservation of the existing significant tree on that lot, height, plot ratio, roof, riverscape, amenity, privacy, services/servicing, landscaping, fencing, open space and environmental design, being submitted to and approved by the Town;*
- (iv) *the Camphor Laurel tree, located on proposed Lot 4 (far south-western corner of Lot 28), which is listed in the Town's Trees of Significance Inventory, being retained and measures being taken to ensure its identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (v) *the applicant providing a geotechnical report certifying suitability of the site for stormwater disposal by soakage, any requirement for subsoil drains, and any filling or backfilling has been adequately compacted to the satisfaction of the Town;*
- (vi) *a Management Statement being prepared and submitted in accordance with section 5C of the Strata Titles Act 1985, to include the following additions to the by-laws contained in Schedules 1 and 2 of the Strata Titles Act:*

- (1) *development or redevelopment on the survey strata lots must comply with an existing development approval issued by the Town of Vincent, or such alternative development approval as the Council may grant, which complies with the grouped dwelling requirements of the Town of Vincent Town Planning Scheme, Residential Design Codes and associated Policies;*
- (2) *amendment to or repeal of the above provision cannot be effected without the Town of Vincent agreement;*
- (3) *to ensure the retention, protection and on-going preservation of the Camphor Laurel tree listed on the Town's Trees of Significance Inventory, the owner/s and/or occupier/s of proposed Lot 4 shall implement the following measures to retain, protect and maintain the on-going health of the significant tree:*
 - (a) *the submission of a tree management plan which accounts for the works to be carried out during development works and the on-going maintenance shall be prepared by a private qualified arboriculturalist or a qualified arboriculturalist commissioned by the Town, prior to the issue of a Building Licence. This tree management plan shall be submitted to and approved by the Town and all associated works shall be undertaken and maintained thereafter in accordance with the plan to the satisfaction of the Town;*
 - (b) *the private qualified arboriculturalist, or an arboriculturist commissioned by the Town to be on-site during all limb removals process for the Camphor Laurel tree; and*
 - (c) *the Camphor Laurel tree to be inspected annually by a private qualified arboriculturalist or a qualified arboriculturalist commissioned by the Town and all necessary remedial works to be carried out.*

*All cost associated with the above requirement shall be borne by the owners;
and*

- (vii) *appropriate measures being taken for the protection and retention of trees on the eastern side located within the Metropolitan Region Scheme Reserves (Parks and Recreation) and adjacent to the subject sites.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Ker

That a new clause (viii) be inserted as follows:

- “(viii) (a) Lot 4 being increased in size to facilitate to provide a block which can be developed and facilitate the effective retention, protection and on-going preservation of the Camphor Laurel Tree; and*

- (b) *the Council supports the use of design guidelines to control development on all the four lots, even for lots that are less than 350 square metres in size."*

Debate ensued.

**AMENDMENT WITHDRAWN
WITH CONSENT OF SECONDER**

(Cr Doran-Wu was an apology.)

Moved Cr Lake, **Seconded** Cr Ker

That a new clause (viii) be inserted as follows:

- "(viii) (a) *Lot 4 being increased in size to a minimum of 350 square metres to facilitate the effective retention, protection and on-going preservation of the Camphor Laurel Tree; and*
- (b) *the Council supports the use of design guidelines as an alternative to the imposition of a plate height condition on any lots that are less than 350 square metres in size."*

Cr Messina departed the Chamber at 8.42pm.

AMENDMENT CARRIED (7-0)

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber.)

Cr Messina returned to the Chamber at 8.43pm.

Debate ensued.

MOTION CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.35

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission of the application submitted by SJB Town Planners on behalf of the owner MI Lurie & NJ Aitken (Joel Terrace Unit Trust) for proposed Survey Strata Subdivision, at Nos. 128 & 130 (Lots 28 & 27) Joel Terrace, Mount Lawley, and as shown on plans stamp-dated 3 May 2005 (WAPC Ref: 551-05), subject to:

- (i) *the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. The maximum permitted amount of fill and height of associated retaining walls is 500 millimetres above the existing pre-subdivision ground level, and any greater amount of fill or higher retaining wall requires a separate Planning Approval to be applied to and obtained from the Town of Vincent;*
- (ii) *support of the subdivision is not to be construed as support of any development on the proposed lots;*

- (iii) *detailed residential design guidelines including the following, but not limited to landuse, location of boundary walls, pedestrian and motor vehicle access and manoeuvring, car parking, setbacks, design of the dwelling on proposed Lot 4 to ensure retention, protection and on-going preservation of the existing significant tree on that lot, height, plot ratio, roof, riverscape, amenity, privacy, services/servicing, landscaping, fencing, open space and environmental design, being submitted to and approved by the Town;*
- (iv) *the Camphor Laurel tree, located on proposed Lot 4 (far south-western corner of Lot 28), which is listed in the Town's Trees of Significance Inventory, being retained and measures being taken to ensure its identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (v) *the applicant providing a geotechnical report certifying suitability of the site for stormwater disposal by soakage, any requirement for subsoil drains, and any filling or backfilling has been adequately compacted to the satisfaction of the Town;*
- (vi) *a Management Statement being prepared and submitted in accordance with section 5C of the Strata Titles Act 1985, to include the following additions to the by-laws contained in Schedules 1 and 2 of the Strata Titles Act:*
 - (1) *development or redevelopment on the survey strata lots must comply with an existing development approval issued by the Town of Vincent, or such alternative development approval as the Council may grant, which complies with the grouped dwelling requirements of the Town of Vincent Town Planning Scheme, Residential Design Codes and associated Policies;*
 - (2) *amendment to or repeal of the above provision cannot be effected without the Town of Vincent agreement;*
 - (3) *to ensure the retention, protection and on-going preservation of the Camphor Laurel tree listed on the Town's Trees of Significance Inventory, the owner/s and/or occupier/s of proposed Lot 4 shall implement the following measures to retain, protect and maintain the on-going health of the significant tree:*
 - (a) *the submission of a tree management plan which accounts for the works to be carried out during development works and the on-going maintenance shall be prepared by a private qualified arboriculturalist or a qualified arboriculturalist commissioned by the Town, prior to the issue of a Building Licence. This tree management plan shall be submitted to and approved by the Town and all associated works shall be undertaken and maintained thereafter in accordance with the plan to the satisfaction of the Town;*
 - (b) *the private qualified arboriculturalist, or an arboriculturalist commissioned by the Town to be on-site during all limb removals process for the Camphor Laurel tree; and*
 - (c) *the Camphor Laurel tree to be inspected annually by a private qualified arboriculturalist or a qualified arboriculturalist commissioned by the Town and all necessary remedial works to be carried out.*

All cost associated with the above requirement shall be borne by the owners;

- (vii) *appropriate measures being taken for the protection and retention of trees on the eastern side located within the Metropolitan Region Scheme Reserves (Parks and Recreation) and adjacent to the subject sites; and*
- (viii) (a) *Lot 4 being increased in size to a minimum of 350 square metres to facilitate the effective retention, protection and on-going preservation of the Camphor Laurel Tree; and*
- (b) *the Council supports the use of design guidelines as an alternative to the imposition of a plate height condition on any lots that are less than 350 square metres in size.*

Landowner:	MI Lurie & NJ Aitken
Applicant:	SJB Town Planners
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R 60
Existing Land Use:	Vacant
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	1603 square metres (1595 square metres-Town's records)
Access to Right of way	N/A

BACKGROUND:

- 28 September 2004: The Council at its Ordinary Meeting resolved to refuse the proposed three (3) two-storey and four (4) three-storey grouped dwellings and survey strata subdivision 63-04 at Nos. 128-130 (Lots 28 and 27) Joel Terrace, Mount Lawley. The survey strata subdivision was for 7 lots. The lots varied between 163 and 218 square metres in area. The access way width associated with the above two lots is two (2) metres, which forms part of a wider reciprocal access way totalling 7 metres.
- 25 October 2004: Appeal lodged against the Council refusal for the development approval only, by the applicant/owners at the Town Planning Appeal Tribunal (now State Administrative Tribunal).
- 22 December 2004: Appeal dismissed by the Town Planning Appeal Tribunal.
- 18 January 2005: Appeal determination reported to Ordinary Meeting of Council (OMC).
- 24 May 2005: The Council at its Ordinary Meeting considered the proposed pruning of the Camphor Laurel tree as listed on the Town's Trees of Significance Inventory, at Nos. 128-130 (Lot 28) Joel Terrace, Mount Lawley, and resolved "*That the item Lie on the Table.*"

DETAILS:

The current proposal is to create four (4) lots which vary between 314 and 350 square metres in area. The access way to the proposed lots has been created as common property with an area of 239 square metres. The Camphor Laurel tree, which is listed on the Town's Trees of Significance Inventory, is located on proposed Lot 4, and is to be retained.

The owners intend to survey strata the lots and dispose of them, rather than to develop the lots themselves. The applicants/owners have had discussions with Town's Officers, in terms of the above proposal and the submission of design guidelines.

The applicants have advised that the *"Design Guidelines are prepared on the understanding:*

1. a plate height condition will not be imposed.
2. a development application will not be required for any of the lots."

The applicants/owners have also advised that the following conditions being recommended by Officers are not acceptable for the following reasons:

Condition (iv) above is not necessary, as the development application for the pruning of the tree and proposed Design Guidelines would deal with this matter.

Condition (vi) (3) should only require the owner of proposed Lot 4 to implement the management Plan for the Camphor Laurel tree, which also provides supervision of the tree during construction.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65	0.75	Supported-addressed in the proposed Design Guidelines agenda report.
Density	R 60 (8 lots)	R25 (4 lots)	Supported-no variation.
Open space	45 percent	40 percent	Supported- addressed in the proposed Design Guidelines agenda report.
Consultation Submissions:			
The proposal did not require advertising, however all those affected landowners previously contacted in relation to the pruning of the Camphor Laurel tree considered at the OMC on 24 May 2005 have also been notified in writing of the above proposal and the date the survey strata subdivision is being considered at the OMC on 28 June 2005.			
Other Implications:			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Clause 2.3.3 of the Residential Design Codes requires the applicant to obtain Planning Approval for the development of a house(s) on each of the lots less than 350 square metres including all filling and retaining walls proposed.

Being a small lot subdivision in an infill area, it is recommended that the applicant provide design guidelines for the development of grouped dwellings, similar to other small lot subdivision applications in the Town. The design guidelines would provide guidance and certainty to future landowners if the lots were sold and developed individually. On the above basis, it is recommended that no development application or a plate height requirement be required or imposed as conditions for the proposed survey strata application.

The Town's Engineering Services has advised that they have no objection to the above proposal, subject to the conditions recommended.

The Town's Parks Services has advised that the Camphor Laurel tree on the above site is on the Town's current Trees of Significance Inventory, which is proposed to be retained. Any pruning proposed is required to be approved by the Town and subject to the works being undertaken by an accredited arborist and supervised by a qualified arboriculturist. The Council at its Ordinary Meeting held on 24 May 2005, considered the proposed pruning of the Camphor Laurel tree and resolved "*That the item Lie on the Table.*"

The Town's Parks Services has further advised that there is a grove of Paperbark trees (*Melaluca preissiana*) located on the eastern side facing the Swan River and within the Metropolitan Region Scheme Reserves (Parks and Recreation) and adjacent to the subject sites. These trees form an integral part of the Swan River's flora along this section of foreshore and warrant protection from property developers/owners that may want to prune / remove the trees to enhance the river views.

Given the above, it is considered that the proposal complies with the density and minimum site area requirements of the Residential Design Codes.

Matters relating to condition (iii) above will be dealt with as part of the design guidelines, which is a separate report item in this Agenda and is to be considered at the Ordinary Meeting of Council on 28 June 2005.

The comments from the applicants relating to recommended conditions (iv) and (vi) (3) are noted but are considered necessary to safeguard the Town in ensuring that the conditions are applicable and complied with by current and future owners.

Summary

On the above basis, the proposed survey strata subdivision is supported, subject to standard and appropriate conditions to address the above matters.

10.1.10 No. 52 (Lot 104) Buxton Street, Corner Ashby Street, Mount Hawthorn - Proposed Two-Storey Single House

Ward:	North	Date:	17 June 2005
Precinct:	Mount Hawthorn; P1	File Ref:	PRO2871; 00/33/2765
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Gemmill Homes Pty Ltd on behalf of the owner S & K Sweeney for proposed Two-Storey Single House, at No. 52 (Lot 104) Buxton Street, corner Ashby Street, Mount Hawthorn, and as shown on plans stamp-dated 10 March 2005 (overshadowing plan) and 9 June 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Buxton Street and Ashby Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency. The solid portion of any new fence and gates adjacent to Ashby Street from the Buxton Street building setback may increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;*
 - (b) the southern garage boundary wall being a maximum average height of 3 metres and a maximum height of 3.5 metres (inclusive of retaining wall);*
 - (c) site fill and retaining walls being a maximum of 0.5 metre above natural ground level; and*
 - (d) the lower and upper floors being setback a minimum of 1.5 metres to the main dwelling from the Ashby Street boundary.*

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

- (iii) *first obtaining the consent of the owners of No. 50 Buxton Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 50 Buxton Street in a good and clean condition.*

Moved Cr Maier, Seconded Cr Farrell

That the recommendation be adopted, with the following amendment:

- "(ii) (a) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Buxton Street and the portion adjacent to Ashby Street in front of the building line shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency. The solid portion of any new fence and gates adjacent to Ashby Street behind the building line from the Buxton Street building setback may increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;"*

Debate ensued.

Moved Cr Maier, Seconded Cr Lake

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

- "(ii) (d) *the lower and upper floors for the study and bedroom 2 being setback a minimum of 1.5 metres to the main dwelling from the Ashby Street boundary."*

Debate ensued.

AMENDMENT LOST (2-6)

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

(Cr Doran-Wu was an apology.)

Moved Cr Ker, Seconded Cr Farrell

That clause (ii)(d) be deleted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.10

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Gemmill Homes Pty Ltd on behalf of the owner S & K Sweeney for proposed Two-Storey Single House, at No. 52 (Lot 104) Buxton Street, corner Ashby Street, Mount Hawthorn, and as shown on plans stamp-dated 10 March 2005 (overshadowing plan) and 9 June 2005, subject to:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Buxton Street and the portion adjacent to Ashby Street in front of the building line shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency. The solid portion of any new fence and gates adjacent to Ashby Street behind the building line may increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;*
 - (b) *the southern garage boundary wall being a maximum average height of 3 metres and a maximum height of 3.5 metres (inclusive of retaining wall); and*
 - (c) *site fill and retaining walls being a maximum of 0.5 metre above natural ground level.*

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

- (iii) *first obtaining the consent of the owners of No. 50 Buxton Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 50 Buxton Street in a good and clean condition.*

Landowner:	S & K Sweeney
Applicant:	Gemmill Homes Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Vacant
Use Class:	Single House
Use Classification:	"P"
Lot Area:	491 square metres
Access to Right of Way	N/A

BACKGROUND:

The Council at its Ordinary Meeting held on 9 November 2004 granted conditional approval for proposed demolition of existing single house and construction of a two-storey single house, at the subject property.

DETAILS:

The proposal involves a two-storey single house at the subject property.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Setbacks-Ground: South	1.5 metres	Nil (garage) -2.85metres (main building)	Part supported- subject to garage being conditioned to comply with Clause 3.3.2 of R-Codes-Building on Boundary.
North (Secondary Street)	1.5 metres	1.15 (staircase) -1.46 metres	Not supported- has been conditioned to comply.
1 st Floor: North (Secondary Street)	1.5 metres	1.15 (staircase) -1.46 metres	Not supported- has been conditioned to comply.
South	1.6 metres	1.55 metres	Supported- minor variation and no undue impact on neighbouring property.

Privacy Setbacks	Bedrooms- 4.5 metres	Bedroom 4 - 3.1 metres to south boundary	Supported- affected neighbour has consented to this variation.
Buildings on Boundaries	One boundary wall is permitted with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6% length of boundary.	Southern boundary wall has an average height of 3.1 metres and maximum height of 3.3 metres (length compliant).	Not supported- has been conditioned to comply.
Retaining Wall Setback	1.0 metre	Nil	Not supported- has been conditioned to comply.
Fill	0.5 metre	Fill up to 0.86 metre	Not supported- has been conditioned to comply.
Street Walls/Fences to Primary Street	Front walls and fences to be visually permeable above 1.2 metres and a maximum height of 1.8 metres. Decorative capping piers may extend up to a maximum of 2.0 metres.	Fence has a maximum height of up to 2.6 metres.	Not supported- has been conditioned to comply.
Street Walls/Fences to Secondary Street	Walls and fences to be a maximum height of 1.8 metres and incorporate at least 2 appropriate design features.	Walls up to 2.5 metres and no design features proposed.	Not supported- has been conditioned to comply.
Consultation Submissions			
Support	Nil		Noted
Objection	<ul style="list-style-type: none"> Garage setback from front boundary 		Not supported- garage setback is compliant with Town's Policy relating to Street Setbacks.
	<ul style="list-style-type: none"> Southern setback and overshadowing 		Not supported- overshadowing compliant with relevant R-Codes provisions and objection related to previous plans with less southern setbacks. Current proposed setbacks considered acceptable, refer to above.

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

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

COMMENTS:

In light of the objections and variations being addressed as above, the proposal is recommended for approval, subject to standard and appropriate conditions to address the matters raised in the report.

10.1.1 Further Report - 'Looking after the Community' Brochure

Ward:	Both	Date:	21 June 2005
Precinct:	All	File Ref:	ENS0102
Attachments:	001		
Reporting Officer(s):	M Wendt		
Checked/Endorsed by:	J MacLean, R Boardman	Amended by:	J Giorgi

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *ENDORSES the reviewed "Looking after the Community" brochure as shown in Appendix 10.1.1;*
- (ii) *NOTES that:*
 - (a) *recent developments by other local governments to discontinue funding for the Nyoongar Patrol has resulted in uncertainty in the continuation of its services;*
(Cr Doran-Wu was an apology.)
 - (b) *the Town will be actively pursuing discussions with the Nyoongar Patrol to determine the future of its services within the Town of Vincent; and*
- (iii) *AUTHORISES the Chief Executive Officer to amend the brochure to reflect any changes to the services provided by the Nyoongar Patrol.*

COUNCIL DECISION ITEM 10.1.1

Moved Cr Messina, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Cr Farrell departed the Chamber at 8.50pm.

Debate ensued.

Cr Farrell returned to the Chamber at 8.52pm.

Moved Cr Farrell, Seconded Cr Lake

That all reference to the Nyoongar Patrol in the brochure be deleted.

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

AMENDMENTS - BY THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer amended this report and Officer recommendation to include details of a decision by the City of Perth, whereby at its meeting held on 21 June 2005, it apparently discontinued its funding to the Nyoongar Patrol. The Perth City Council's decision has resulted in uncertainty of the future of the Nyoongar Patrol. Media reports have been unclear as to the implications of the decision.

PURPOSE OF THE REPORT

To obtain the Council's endorsement of the "Looking after the Community" brochure.

FURTHER REPORT:

The Council, at its Ordinary Meeting held on 12 April 2005, considered the proposal and resolved that the item be deferred to further deliberate the information in the *'Looking after the Community'* Brochure.

A number of amendments from Elected Members were received and considered at the Ordinary Meeting of Council held on 12 April 2005. These amendments have subsequently been considered and incorporated into the latest version of the *'Looking after the Community'* brochure.

An additional change has occurred at the back of the brochure under *'Who do I call...and when?'* This section now lists a number of headings along with the contact numbers for the West Australian Police Service, the Town of Vincent, and the Nyoongar Patrol. These headings state the areas that each organisation is responsible for, and will enable the community to more fully comprehend their role.

To date, the Superintendent of the Perth Police Station, Nyoongar Patrol and Town of Vincent staff have all been consulted.

The brochure has also been presented to the Park People Project Working Group (previously called the Birdwood Square Working Party) on 28 April 2005, and again as a redeveloped copy on 8 June 2005. The representatives on this group include:

- Members from the Department for Community Development, Perth Office
- Nyoongar Patrol
- WA Police
- Business Owner
- Resident
- Department of Housing and Works
- City of Perth
- Nyoongar Alcohol and Substance Abuse Service
- Town of Vincent Elected Member.

Feedback was received, and changes made accordingly.

It is considered that, since this is an information brochure, which will be distributed to affected areas, there is no further need for consultation.

Once approved, the new brochure will be printed and distributed to areas surrounding the hot spots within the Town of Vincent, such as Birdwood Square, Hyde Park, Robertson Park, Stuart Reserve and Banks Reserve.

The proposed brochure will provide updated information to the community, relating to anti-social behaviour, graffiti, park drinking, etc and provides contact details for the agencies responsible for dealing with each. It is recommended for endorsement by the Council.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 12 April 2005.

"OFFICER RECOMMENDATION:

That the Council;

- (i) RECEIVES the report on itinerant persons and anti-social behaviour at Birdwood Square, Perth; and*
- (ii) ENDORSES the reviewed 'Looking after the Community' brochure wording as shown in Appendix 10.1.29).*

COUNCIL DECISION ITEM 10.1.29

Moved Cr Doran-Wu, Seconded Cr Lake

That the recommendation be adopted subject to new clauses (iii) and (iv) being added as follows:

"(iii) amends the wording in the 'Looking after the Community' brochure, as shown in Appendix 10.1.29, as follows:

Delete the following words on page 1, paragraph 3:

~~*Vincent Rangers can:-
patrol the area
collate information
issue infringements for park drinking
issue infringements for littering
issue infringements for camping
report offences to Police*~~

~~*They cannot arrest or ask anyone to move out of the park.*~~

And replace them with:

*Vincent Rangers do not have the authority to address:
antisocial behaviour
fighting
noise
urinating and defecating on private property
street and park drinking
arresting anyone
confiscation of property or alcohol."*

(iv) amends the wording in the 'Looking after the Community' brochure, as shown in Appendix 10.1.29, as follows:

*~ Delete the following words on page 2, first heading:
'What you can do'*

And replace them with:
'Private Property - what you can do'

- ~ Delete the following words on page 2, under 'What you can do', dot point 5:
~~'target harden your property to dissuade squatters from camping there'~~

And replace them with:
'make your property secure to dissuade squatters from camping there'

- ~ Delete the following words at the bottom of page 2, last heading:
~~'What you can do'~~

And replace them with:
'What you can do to help keep our Town clean and safe'

- ~ Delete the following words at the bottom of page 2, under 'What you can do',
last dot point:

~~'Report issues regarding public health to council'~~

And replace them with:
'Report issues regarding public health to the Town of Vincent Environmental
Health Services'

- ~ Add the following words at the bottom of page 3, between 'Rangers' and
'Emergency After Hours':
'Environmental Health Services Town of Vincent 9273 6533'

The Presiding Member ruled that he would not accept the recommendation with the
amendments and that the amendments would be dealt with separately.

The Presiding Member called for the original recommendation to be moved again.

Moved Cr Doran-Wu, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Journalist Mark Fletcher left the meeting at 8.18pm.

Moved Cr Doran-Wu, Seconded Cr Lake

That the Item be DEFERRED for further consideration of the proposed "Looking after the
Community" brochure.

CARRIED (4-1)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Franchina
Cr Doran-Wu	
Cr Lake	
Cr Torre	

(Crs Chester, Farrell and Ker were apologies. Cr Cohen on approved leave of absence.)

PURPOSE OF REPORT

The purpose of the report is to provide an update on the anti-social behaviour at Birdwood Square and seek endorsement for a joint Town of Vincent and Nyoongar Patrol brochure for the public on the responsibilities of the two organisations with regard anti-social behaviour.

DETAILS:

Complaints Received

Feedback from the proprietor of a business on Brisbane Street indicates that a group of park dwellers have been frequenting the playground on Birdwood Square, but that generally, any groups who gather on Birdwood Square move on fairly quickly to other parks. He did report that the park was being used in a more positive way by residents and visitors.

A resident's concerns have been passed onto the Town regarding:

- the temporary toilet on Birdwood Square. The existing toilet block has been locked from 3.30pm on weekdays and all weekend for a long time and it has been completely closed since 14 February 2005, which has given the majority of regular users time to be aware of the closure. There has been evidence of use of the temporary toilet situated at the opposite end of the park and the Nyoongar Patrol has been informing users of the park of the availability of the "porta-loo".*
- the Street Doctor is still visiting the Baker Avenue car parking area fortnightly. A letter has been sent to the Deputy CEO of the Perth & Hills Division of General Practice indicating that the Street Doctor is not authorised to attend any of the Town's parks, and requesting that the service be stopped immediately. A provision has been put in the letter that, if Perth & Hills Division of General Practice considers it necessary to provide "Street Doctor" services within the Town, it would be appropriate to discuss suitable locations with the Town's staff to formulate strategies and a management plan.*
- the nominations for the Birdwood Square Working Party. An acknowledgement letter was sent by the Safer Vincent Co-ordinator to all nominees for the Birdwood Square Working Party on 9 March 2005. The Co-ordinator of the Birdwood Square Working Party has selected members from the applications and sent out letters to all the nominees informing them of the final decision.*

Complaints have been received from residents regarding increased antisocial behaviour by park dwellers in Hyde Park, Banks Reserve and Robertson Park. All complaints have been forwarded to the Police, the Town of Vincent Rangers, the Nyoongar Patrol and the Department of Community Development Birdwood Square Working Party Co-ordinator.

COMMENTS:

The temporary toilet is locked each evening at 7.30pm. Nyoongar Patrol is locking the temporary toilet at 7.30pm during week nights. Rangers are locking and unlocking the temporary toilet on the weekends for the time being. TOV Park staff are unlocking the temporary toilet each morning during the week.

Listed below are statistics provided by the Nyoongar Patrol for the period from 2 to 31 March 2005:

<i>Date</i>	<i>Parks</i>	<i># in Park</i>	<i># Homeless</i>	<i># Intoxicated</i>
<i>2/3/05</i>	<i>Birdwood Square</i>	<i>12</i>	<i>-</i>	<i>5</i>
	<i>Hyde Park</i>	<i>-</i>	<i>-</i>	<i>-</i>
<i>3/3/05</i>	<i>Birdwood Square</i>	<i>1</i>	<i>-</i>	<i>-</i>
	<i>Hyde Park</i>	<i>18</i>	<i>-</i>	<i>6</i>
<i>4/3/05</i>	<i>Birdwood Square</i>	<i>3</i>	<i>-</i>	<i>1</i>

	Hyde Park	20	-	-
9/3/05	Birdwood Square	-	-	10
	Hyde Park	17	-	-
10/3/05	Birdwood Square	-	-	-
	Hyde Park	17	-	12
11/3/05	Birdwood Square	1	-	1
	Hyde Park	-	-	-
12/3/05	Birdwood Square	5	-	4
	Hyde Park	-	-	-
14/3/05	Birdwood Square	-	-	-
	Hyde Park	14	-	6
16/3/05	Birdwood Square	4	-	3
	Hyde Park	10	1	5
17/3/05	Birdwood Square	8	-	5
	Hyde Park	12	-	4
	Robertson Park	2	-	-
18/3/05	Birdwood Square	-	-	-
	Hyde Park	8	-	-
23/3/05	Birdwood Square	-	5	-
	Hyde Park	10	1	10
24/3/05	Birdwood Square	7	2	5
	Hyde Park	-	-	-
29/3/05	Birdwood Square	-	-	-
	Hyde Park	9	-	5
30/3/05	Birdwood Square	-	-	-
	Hyde Park	12	-	9
31/3/05	Birdwood Square	2	-	-
	Hyde Park	7	-	-

Meetings

A meeting of the Birdwood Square Working Group was held on Thursday, 3 March 2005. A copy of the minutes will be provided to the Council.

The Nyoongar Patrol Advisory Management Committee monthly meeting was held on Tuesday, 5 April 2005.

The next meeting of the Birdwood Square Working Party will be held at 3pm, 21 April 2005 at the Town of Vincent. The appointed business and resident representatives have been invited to the meeting, as has Councillor Doran-Wu, the Council representative.

Council Resolutions status:

22 February 2005 Council Resolution

(iii) APPROVES the following:

- (a) rental of a temporary toilet, at an estimated cost of \$2,368, to be trialled over a four (4) month period in a variety of locations in Birdwood Square and the Brisbane Street Car Park to determine the best location for a possible replacement toilet and to determine whether anti-social behaviour decreases;*

TRIAL CONTINUING

- (b) keeping the permanent toilets located on Birdwood Square locked for the duration of the trial of the temporary toilets, but making them available to people who hire the park;*

NO FURTHER ACTION REQUIRED

- (c) *the Town urgently write to the Department of Health (Street Doctor) to indicate that they are not authorised to attend any of the Town's parks and request that they immediately cease the provision of their services within the Town of Vincent. If they wish to deliver their services within the Town that they submit a request and management plan to the Town for approval;*

Action taken

A letter was sent on 30 March 2005 to the Perth & Hills Division of General Practice and copied to the Director General of the Health Department of Western Australia.

8 February 2005 Council Resolution

- (ii) *APPROVES of the following initiatives being implemented:*

- (a) *the Town urgently write to the Premier and the Ministers for Community Development (Hon Sheila McHale); Housing and Works (Hon Nick Griffiths); Indigenous Affairs (Hon John Kobelke); and Police and Emergency Services (Hon Michelle Roberts) to express the Town's strong concerns about the continuing unsatisfactory situation and request additional State Government assistance to resolve the problem in Birdwood Square;*

NO FURTHER ACTION REQUIRED

- (b) *the Town write to the Western Australia Police Service thanking them for their continued co-operation and support, and requests the continuation of increased regular patrols around Birdwood Square;*

NO FURTHER ACTION REQUIRED

- (c) *the Town urgently writes to the State Government Minister for Police and Emergency Services requesting that funding be provided for the Nyoongar Patrol to increase its patrol services and enable them to operate all day on weekends;*

NO FURTHER ACTION REQUIRED

- (d) *the Town urgently writes to the Department of Health requesting them to review the role of carers of people travelling to Perth for medical treatment through the Patient Assisted Transport Scheme;*

Action taken

A draft letter is currently being prepared.

- (e) *the Town to review the current service provided by the Nyoongar Patrol and develop a Memorandum of Understanding between the Town and Aboriginal Advancement Council of WA;*

Action taken

A draft Memorandum of Understanding has been prepared and a report has been submitted to the Ordinary Meeting of Council to be held on 12 April 2005.

- (f) *the Town to review the opening hours and use of the public toilets located at Birdwood Square but in the interim provide notice that from 14 February 2005 until further notice (as determined by the Chief Executive Officer) the toilets will only be open on weekends on a trial basis to minimise current congregation and anti-social behaviour as the park/reserve facilities were not intended to be used for accommodation;*

NO FURTHER ACTION REQUIRED

- (g) *cleaning frequencies be delegated to the Chief Executive Officer to determine;*

NO FURTHER ACTION REQUIRED

- (h) *approves the temporary removal of the heritage plaque located on the eastern side of Birdwood Square, adjacent to the bus shelter until further notice;*

NO FURTHER ACTION REQUIRED

- (i) *the Department of Health be requested to review the service provided by the "Street Doctor"; This has been superseded by the Council resolution from the Ordinary Meeting of Council Meeting held on 22 February 2005.*

NO FURTHER ACTION REQUIRED

- (j) *the Birdwood Square Working Group (interim) be formed, including representatives of local residents and businesses, and be requested to develop strategies regarding rough sleepers on parks;*

Action taken

These nominations have been assessed by the Department of Community Development Co-ordinator of the Birdwood Square Working Party and the following have been chosen:

*Resident representative: Bev Bastian
Resident proxy: Angelo Merlacco
Business representative: Barry Garonne
Business proxy: Barbara Gold*

- (k) *the Town to review the 'Looking after the Community' brochure;*

Action taken

The revised wording for the 'Looking after the Community' brochure is attached for endorsement. To date, the Superintendent of the Perth Police Station, Nyoongar Patrol and Town of Vincent staff have all been consulted, and changes have been made accordingly.

Once the copy has been approved, the new brochure will be printed and distributed to areas surrounding the hot spots within the Town of Vincent, such as Birdwood Square, Hyde Park, Robertson Park, Stuart Reserve and Banks Reserve.

- (l) *investigate the accuracy of the information displayed on the signage in the park;*

NO FURTHER ACTION REQUIRED

- (m) *conduct a Crime Prevention Through Environmental Design (CPTED) review of Birdwood Square with the assistance of the Office of Crime Prevention;*

NO FURTHER ACTION REQUIRED

- (n) *erect larger 'no drinking in the park' signage in the park;*

Action taken

This has been deferred while the Town of Vincent Local Law relating to Parks and Public Reserves is being reviewed to identify the possibility of prohibiting the possession and/or use of alcohol in Birdwood Square. A draft of an amendment has been passed to the WA Police Service for comment and will be

presented to Council in due course. Once this has been finalised, an appropriate sign will be erected.

- (o) *replace current bins in the Park with steel bins that restrict people from removing items from the bin;*

Action taken

Four steel bins have been ordered and will be located in the park on each of the four corners. It is expected that the bins will take up to six weeks to arrive.

- (p) *develop an accord with the Western Australia Police Service, Nyoongar Patrol and Rangers for the intensive patrolling of the park;*

Action taken

Discussions are continuing with the Nyoongar Patrol, the WA Police and the City of Perth.

- (q) *review the Town of Vincent Local Law relating to Parks and Public Reserves to prohibit the possession and/or use of alcohol in Birdwood Square;*

Action taken

A draft amendment has been passed to the WA Police Service for comment. It has been established that there is existing legislation that empowers Police Services to address the issue. Police are currently exploring further options associated with the legislation.

- (r) *the Town to investigate options including costs relating to the park toilet building, for example, additional public toilet(s) and location(s), alterations and repairs to existing toilets, demolition of existing toilets and provision of one unisex disabled toilet appropriately located in the Brisbane Street Car Park and providing temporary toilets when the park is used by schools; and*

NO FURTHER ACTION REQUIRED

- (s) *invites an Elected Member to also attend meetings headed by the Department of Community Development in relation to Birdwood Square Working Group;*

NO FURTHER ACTION REQUIRED

- (iii) *writes to all complainants advising them of the Council's decision;*

NO FURTHER ACTION REQUIRED

- (iv) *receives monthly information reports regarding the status of Birdwood Square and the Birdwood Square Working Group as well as other reports for decision as required; and*

ON GOING

- (v) *RECEIVES a further report at the Ordinary Meeting of Council to be held on 22 February 2005 identifying an amount of money commensurate with the implementation of strategies and actions identified by the Working Group.*

NO FURTHER ACTION REQUIRED"

10.1.4 Further Report - Nos. 294-296 (Lot 17) Newcastle Street, Perth - Proposed Awning and Carport Additions to Approved Mixed Use Development Comprising Three (3) Offices, Eight (8) Multiple Dwellings and Associated Car Parking

Ward:	South	Date:	20 June 2005
Precinct:	Beaufort, P13	File Ref:	PRO1337; 00/33/2649
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Palassis Architects on behalf of the owner Milestone Enterprises Pty Ltd for proposed Awning and Carport Additions to Approved Mixed Use Development Comprising Three (3) Offices, Eight (8) Multiple Dwellings and Associated Car Parking, at Nos. 294-296 (Lot 17) Newcastle Street, Perth, and as shown on plans stamp-dated 29 December 2004 and 21 June 2005, subject to:

- (i) prior to the issue of a Building Licence, plans demonstrating that the awning structure is complementary in design and colours with the existing building, shall be submitted to and approved by the Town; and*
- (ii) a detailed landscaping plan, including the provision of at least two (2) Apple Gum trees (Angophora Costata), with a minimum size of 200 litres within, and reticulation of, the Newcastle Street verge adjacent to the subject property, shall be submitted and approved prior to commencement of landscaping works. All such works shall be undertaken at the owners cost prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Farrell

That the following amendment be made:

Delete clause (ii) of the previous recommendation and **add new clause (ii)** as follows:

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

- (a) the existing tree and tree well within the road reserve and adjacent to the property, being removed and relocated further west within the road reserve in alignment with the existing western verge tree planted in Newcastle Street; and*

- (b) *an additional new Apple Gum Tree (Angophora Costata) with a minimum size of 200 litres being provided within the road reserve in alignment with the existing western verge tree planted in Newcastle Street.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies. All such works (inclusive of reticulation and reinstatement of paving) shall be undertaken at the owners' cost prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s)."

Debate ensued.

AMENDMENT CARRIED (7-1)

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

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (5-4)

<u>For</u>	<u>Against</u>
Mayor Catania (2 votes)	Cr Chester
Cr Farrell	Cr Ker
Cr Messina	Cr Lake
Cr Torre	Cr Maier

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.4

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Palassis Architects on behalf of the owner Milestone Enterprises Pty Ltd for proposed Awning and Carport Additions to Approved Mixed Use Development Comprising Three (3) Offices, Eight (8) Multiple Dwellings and Associated Car Parking, at Nos. 294-296 (Lot 17) Newcastle Street, Perth, and as shown on plans stamp-dated 29 December 2004 and 21 June 2005, subject to:

- (i) *prior to the issue of a Building Licence, plans demonstrating that the awning structure is complementary in design and colours with the existing building, shall be submitted to and approved by the Town; and*
- (ii) *prior to the issue of a Building Licence, revised landscaping plans shall be submitted and approved demonstrating the following:*

- (a) *the existing tree and tree well within the road reserve and adjacent to the property, being removed and relocated further west within the road reserve in alignment with the existing western verge tree planted in Newcastle Street; and*
- (b) *an additional new Apple Gum Tree (Angophora Costata) with a minimum size of 200 litres being provided within the road reserve in alignment with the existing western verge tree planted in Newcastle Street.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies. All such works (inclusive of reticulation and reinstatement of paving) shall be undertaken at the owners' cost prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).

ADDITIONAL INFORMATION:

The above Amended Recommendation will result with the loss of 1 on-street car parking bay. All associated costs are to be borne by the applicant/owner(s).

FURTHER REPORT:

The Council at its Ordinary Meeting held on 8 February 2005, considered the proposal and resolved that the *"Item be DEFERRED at the request of the applicant."*

The applicant and the Town's Officers have further discussed the implications of a continuous awning and other acceptable awning development options for the development being constructed at the above site, including the provision of appropriate canopy in-between the awnings, with suitable mature trees.

The Town's Parks Services have advised that the proposed tree planting is supported on the Newcastle Street verge, as indicated on the plans dated 29 December 2004, subject to the species of tree to be planted being the same species as what is existing along the upgraded streetscape, which is Apple Gum (Angophora Costata). The trees are also to be reticulated from the owners' water supply, as it would be difficult to retrofit these additional specimens to the existing reticulation system. A total of 2 of the abovementioned mature trees with a recommended minimum size of 200 litres is considered sufficient for the above purposes of providing a sufficient canopy over the adjacent footpath.

The applicants/owners have advised that they are prepared to pay for the cost of the trees and the ongoing cost associated with the provision of reticulation to the landscaping proposed.

The Town's Planning Officers have revisited the site and have taken into account the extent of existing buildings along Newcastle Street at this vicinity not having continuous awning. The proposed staggered awning and intermittent trees is supported on the above basis.

The proposed carports are also supported as per the previous recommendation.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 8 February 2005:

"OFFICER RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Palassis Architects on behalf of the owner Milestone Enterprises Pty Ltd for proposed Carport Additions to Approved Mixed Use Development Comprising Three (3) Offices, Eight (8) Multiple Dwellings and Associated Car Parking, at No(s). 294-296 (Lot 17) Newcastle Street, Perth, and as shown on plans stamp-dated 29 December 2004, subject to:*

(a) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer; and

(ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Palassis Architects on behalf of the owner Milestone Enterprises Pty Ltd for proposed Awning Addition to Approved Mixed Use Development Comprising Three (3) Offices, Eight (8) Multiple Dwellings and Associated Car Parking, at No(s). 294-296 (Lot 17) Newcastle Street, Perth, and as shown on plans stamp-dated 29 December 2004, for the following reasons:*

(a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*

(b) *the non-compliance with the Town's Policies relating to the Beaufort Precinct relating to the provision of a continuous and complementary awnings/verandah over the adjacent footpath.*

COUNCIL DECISION ITEM 10.1.17

Mayor Catania advised that the applicant had requested that this Item be deferred.

Moved Cr Franchina, Seconded Cr Ker

That the Item be DEFERRED at the request of the applicant.

CARRIED (7-0)

(Cr Doran-Wu on approved leave of absence. Cr Torre was an apology.)

<i>Landowner:</i>	<i>Milestone Enterprises Pty Ltd</i>
<i>Applicant:</i>	<i>Palassis Architects</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial</i>
<i>Existing Land Use:</i>	<i>Office Building & Multiple Dwellings being constructed</i>
<i>Use Class:</i>	<i>Office Building & Multiple Dwelling</i>
<i>Use Classification:</i>	<i>"P & AA"</i>
<i>Lot Area:</i>	<i>1007 square metres</i>
<i>Access to Right of Way</i>	<i>N/A</i>

BACKGROUND:

16 December 2003 Council resolved to conditionally approve the proposed demolition of existing buildings and construction of a three storey mixed-use development comprising three (3) offices, eight (8) multiple dwellings, and associated car parking on Nos. 294 - 296 (Lot 17) Newcastle Street, Perth.

DETAILS:

The proposal is for a non continuous canopy that will involve the reconsideration of condition (vi) (c) of the conditional approval granted by the Council at its Ordinary Meeting held on 16 December 2003, and the provision of carports. Condition (vi) (c) is as follows:

"(vi) prior to the issue of the Building Licence revised plans shall be submitted and approved demonstrating:

- (a) the vehicle access/ driveway to Newcastle Street being a minimum width of 5.5 metres;*
- (b) the bin stores being relocated, and visitors bays being deleted, to allow for the driveway widening, and the bin stores being appropriately screen from public view; and*
- (c) the building being provided with continuous and complementary awnings being provided over the adjacent footpath;*

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

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

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>Awning</i>	<i>Continuous over adjacent footpath</i>	<i>Non-continuous over adjacent footpath</i>	<i>Not supported - as the proposal does not comply with the requirements of the Beaufort Precinct Policy for a continuous awning over the footpath. A continuous awning will provide protection from the elements and is also considered to contribute to the streetscape and amenity. The proposal would result in a negative precedent for other similar development.</i>

<i>Consultation Submissions</i>		
<i>Support</i>	<i>N/A</i>	<i>N/A</i>
<i>Objection</i>	<i>N/A</i>	<i>N/A</i>
<i>Other Implications</i>		
<i>Legal/Policy</i>	<i>TPS 1 and associated Policies.</i>	
<i>Strategic Implications</i>	<i>Nil</i>	
<i>Financial/Budget Implications</i>	<i>Nil</i>	

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

COMMENTS:

The proposed carports would offer protection to residents' motor vehicles, and is at the rear of the lot, adjacent to an over 3 metres high brick wall, and is supported.

On the above basis, it is recommended that the covered carports be approved. It is further recommended that the non-continuous awnings be refused, based on the reasons outlined in the Assessment table."

10.1.9 No. 17 (Lot 952) Campsie Street, North Perth - Proposed Two-Storey Single House

Ward:	North	Date:	17 June 2005
Precinct:	Smith's Lake; P6	File Ref:	PRO3191; 00/33/2859
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by APG Homes on behalf of the owners L & J Duplock for proposed Two-Storey Single House, at No. 17 (Lot 952) Campsie Street, North Perth, and as shown on plans stamped 17 May 2005 , subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Campsie Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) *the western elevation of the balcony shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level; and*
 - (b) *the windows to the main bedroom on the western elevation and the southern window to bedroom 3 on the eastern elevation on the first floor, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002;*

A permanent obscure material does not include a self adhesive material or other material that is easily removed. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and

- (iv) *subject to first obtaining the consent of the owners of No. 12 Bourke 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. 12 Bourke Street in a good and clean condition.*
-

Moved Cr Lake, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Maier

That the following amendment be made:

“Delete clause (iii)(a) and renumber clause (iii)(b) as clause (iii), in the previous recommendation”.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Moved Cr Ker, Seconded Cr Farrell

That the order of the business be amended to include the following items as there are people in the public gallery:

10.1.15, 10.1.16 and 10.1.21.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.9

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by APG Homes on behalf of the owners L & J Duplock for proposed Two-Storey Single House, at No. 17 (Lot 952) Campsie Street, North Perth, and as shown on plans stamped 17 May 2005, subject to:

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Campsie Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;*

- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the windows to the main bedroom on the western elevation and the southern window to bedroom 3 on the eastern elevation on the first floor, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002;*

A permanent obscure material does not include a self adhesive material or other material that is easily removed. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and

- (iv) *subject to first obtaining the consent of the owners of No. 12 Bourke 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. 12 Bourke Street in a good and clean condition.*

Landowner:	L & J Duplock
Applicant:	APG Homes
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Vacant
Use Class:	Single House
Use Classification:	"P"
Lot Area:	220 square metres
Access to Right of Way	N/A

BACKGROUND:

17 May 2004 The Western Australian Planning Commission conditionally approved the application for the subdivision of the property at No. 12 (Lot 95) Bourke Street (corner Campsie Street), North Perth.

10 November 2004 Conditional approval was granted under delegated authority from the Council for an additional two-storey single house to existing single house at No. 12 (Lot 95) Bourke Street (corner Campsie Street), North Perth.

DETAILS:

The proposal involves a two-storey single house. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Supported- no variation
Setbacks:			
<u>Ground floor:</u>			
- North (Living)	1.5 metres	1.03-1.53 metres	Supported- wall of encroachment is minor and faces a car park.
- West	1.5 metres	1.09-1.58 metres	Supported- wall of encroachment is minor and has no undue impact on adjoining neighbour.
- South	1.5 metres	Nil -2.0 metres	Supported- compliant with Cl.3.2.2-Buildings on Boundaries.

<u>1st Floor</u>			
- East (front)	6 metres	4.0-4.5 metres	Supported- subject lot is created from original corner lot and no undue impact on streetscape.
- North	2.7 metres	1.5-4.0metres	Supported- wall of encroachment is an open balcony and faces a car park and therefore, no undue impact on surrounding area.
- West	2.9 metres (or 1.5 metres if no major openings)	1.58 metres	Supported- minor variation, no undue impact on neighbour and balcony and bedroom has been conditioned to be screened to protect privacy of neighbour.
Privacy Setbacks	Bedrooms- 4.5 metres	Bedroom 3 - 3.2 metres to the south boundary	Not supported- has been conditioned to comply
		Main bedroom - 1.58 metres to the west boundary	Not supported- has been conditioned to comply
	Outdoor habitable spaces- 7.5 metres	Balcony - 1.58 metres to west boundary	Not supported- has been conditioned to comply.
Consultation Submissions			
Support		Nil	Noted
Objection		Nil	Noted

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

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

COMMENTS:

In light of no objections being received by the Town and the variation being addressed as above, the proposal is recommended for approval, subject to standard and appropriate conditions to address the above matters.

10.1.15 No. 42 (Lot 180) Lawler Street, North Perth - Proposed Demolition of Existing Single House and Construction of Two-Storey Single House, and Garage and Studio

Ward:	North	Date:	20 June 2005
Precinct:	North Perth; P8	File Ref:	PRO3120; 00/33/2747
Attachments:	001		
Reporting Officer(s):	B Mckean, T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners G & C Black for proposed Demolition of Existing Single House and Construction of Two-Storey Single House, and Garage and Studio, at No. 42 (Lot 180) Lawler Street, North Perth, and as shown on amended plans stamp-dated 10 June 2005, subject to:

- (i) *first obtaining the consent of the owners of No. 40 Lawler Street and No. 44 Lawler 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. 40 and No. 44 Lawler Street in a good and clean condition;*
- (ii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Lawler Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the eastern elevation of the balcony, on the first floor, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;*
- (iv) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (v) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vi) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (vii) *the subject approved garage/store/studio structure shall not be used for industrial, commercial or habitable purposes, and is for the sole personal use of the inhabitants of the main dwelling only; and*

- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the eastern wall height being a maximum of 6 metres above the natural ground level. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies.*

COUNCIL DECISION ITEM 10.1.15

Moved Cr Torre, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Maier

That the following amendment be made:

Amend clause (viii) of the previous recommendation as follows:

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

(a) eastern wall height being a maximum of 6 metres above the natural ground level; and

(b) the dwelling being setback a minimum of 8.9 metres in line with its neighbouring dwellings.

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

Debate ensued.

AMENDMENT LOST (2-6)

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

(Cr Doran-Wu was an apology.)

Debate ensued.

MOTION CARRIED (6-2)

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

(Cr Doran-Wu was an apology.)

Landowner:	G & C Black
Applicant:	G Black
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	455 square metres
Access to Right of Way	North side, 5 metres wide, sealed, Town of Vincent owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves Demolition of Existing Single House and Construction of Two-Storey Single House, Garage and Studio, at No. 42 (Lot 180) Lawler Street, North Perth.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Setbacks: Main Dwelling <u>Upper Floor-</u> East	4.5 metres	1.2 - 2.7 metres	Supported - variation is not considered to have an undue impact on neighbour.
South/Street (Balcony)	6 metres	5 metres	Supported - variation is not considered to have an undue impact on the streetscape or surrounding amenity.
Garage/Outbuilding East	1 metre	Nil	Supported - variation is compliant with the Residential Design Codes (R Codes) requirements for building on boundary in terms of the height and length of the wall.
West	1 metre		Supported - as above.
Building on Boundary	Walls not higher than 3.5 metres with an average of 3 metres for 2/3 the length of the	Building walls on two boundaries	Supported - variation is considered to have no undue impact on neighbours and affected neighbours have no

	balance of the boundary behind the front setback, to one side boundary.		objection to boundary walls.
Outbuilding Wall Height Requirements			
West	Do not exceed a wall height of 2.4 metres	2.4 metres - 3.5 metres	Supported - additional wall height is due to the sloping nature of the site and there was no objection from the affected owner.
South	Do not exceed a wall height of 2.4 metres	2.9 metres - 3.2 metres	Supported - additional wall height is due to the sloping nature of the site and is not considered to have an undue impact on neighbours.
Privacy			
Balcony (east elevation)	7.5 metres	2 metres to eastern boundary	Not supported - it is recommended that the balcony be screened in accordance with the Officer Recommendation.
Balcony (west elevation)	7.5 metres	6.7 metres to western boundary	Supported - affected neighbour has signed the plans stating no objection to overlooking.
Building Height			
Eastern Elevation	6 metres	5.6 metres - 6.028 metres	Not Supported - it is recommended that the building wall height on the eastern elevation be a maximum of 6 metres in accordance with the Officer Recommendation.
Western Elevation	7 metres	6.5 metres - 7.088 metres	Supported - non-compliant component is considered minor, an architectural design feature and not have an

		undue impact on neighbour.
Consultation Submissions		
Support (1)	<ul style="list-style-type: none"> No objection to the overlooking to western boundary 	Noted.
Objection (1)	<ul style="list-style-type: none"> Overlooking 	Supported - overlooking is addressed in the Officer Recommendation.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil

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

COMMENTS:

With regard to the demolition of the existing house at No. 4 Salisbury Street, the Town's Heritage Officers made the following comments:

The subject place is a modest sized Inter-war brick and tile dwelling constructed circa 1934. It is generally representative of the Inter-war bungalows constructed in the 1930s throughout the North Perth and Mount Hawthorn areas. The place is considered to have little aesthetic, scientific, historic or social cultural heritage values. The place is not listed on the Town's Municipal Heritage Inventory or the Interim Heritage Database. As such, it is considered reasonable that the application for the demolition of the subject dwelling be approved, subject to a quality archival record and other standard conditions.

A detailed Heritage Assessment is contained as an attachment to this report.

The variations sought by the applicant (except those relating to overlooking to the eastern neighbour and building wall height on the eastern elevation, which are addressed in the conditions of the Officer Recommendation) are considered to be supportable and not to have an undue impact on the surrounding area.

In light of this, the proposal is recommended for approval, subject to standard and appropriate conditions.

10.1.16 Nos. 35 & 37 (Lots 7219 & 4943) Richmond Street, Dual Frontage to Viva Lane, North Perth - Proposed Demolition of Two (2) Single Houses and Construction of Seven (7) Two-Storey Single Houses

Ward:	South	Date:	21 June 2005
Precinct:	Smith's Lake; P6	File Ref:	PRO3143; 00/33/2791
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by J Kestel on behalf of the owner Richmond Townhouses Pty Ltd for proposed Demolition of Two (2) Single Houses and Construction of Seven (7) Two-Storey Single Houses, at Nos. 35 & 37 (Lots 7219 & 4943) Richmond Street, Dual Frontage to Viva Lane, North Perth, and as shown on plans stamp-dated 30 March 2005 (demolition plans) and 13 June 2005, subject to:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) *the upper floor of units 1, 2, 3 and 4 being setback a minimum of 6.0 metres to the main building from the Richmond Street boundary;*
 - (b) *the upper floor of units 5, 6 and 7 being setback a minimum of 4.0 metres to the main building and 3.0 metres to balconies from the Viva Lane boundary;*
 - (c) *driveway width complying with the minimum specifications and dimensions specified in the Town's Parking and Access Policy and Australian Standards AS2890.1 – "Off Street Parking"; and*
 - (d) *the window to bedroom 3 of units 1 and 4 on the northern elevation on the first floor, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002.*

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

- (iii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Richmond Street and Viva Lane verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Richmond Street and Viva Lane shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site; and*
- (vi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence.*

Moved Cr Messina, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Ker

That the following amendment be made:

Add clause (ii)(e) to the previous recommendation as follows:

"(ii) (e) the garages of units 1, 2, 3 and 4 being setback a minimum of 6 metres to the Richmond Street boundary."

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (5-4)
ON THE CASTING VOTE OF THE MAYOR

<u>For</u>	<u>Against</u>
Mayor Catania (2 votes)	Cr Farrell
Cr Chester	Cr Ker
Cr Messina	Cr Lake
Cr Torre	Cr Maier

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.16

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by J Kestel on behalf of the owner Richmond Townhouses Pty Ltd for proposed Demolition of Two (2) Single Houses and Construction of Seven (7) Two-Storey Single Houses, at Nos. 35 & 37 (Lots 7219 & 4943) Richmond Street, Dual Frontage to Viva Lane, North Perth, and as shown on plans stamp-dated 30 March 2005 (demolition plans) and 13 June 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) the upper floor of units 1, 2, 3 and 4 being setback a minimum of 6.0 metres to the main building from the Richmond Street boundary;*
 - (b) the upper floor of units 5, 6 and 7 being setback a minimum of 4.0 metres to the main building and 3.0 metres to balconies from the Viva Lane boundary;*
 - (c) driveway width complying with the minimum specifications and dimensions specified in the Town's Parking and Access Policy and Australian Standards AS2890.1 – "Off Street Parking";*
 - (d) the window to bedroom 3 of units 1 and 4 on the northern elevation on the first floor, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002; and*
 - (e) the garages of units 1, 2, 3 and 4 being setback a minimum of 6 metres to the Richmond Street boundary.*

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

- (iii) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Richmond Street and Viva Lane verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Richmond*

Street and Viva Lane shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum of 50 per cent transparency;

- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site; and*
- (vi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence.*

ADDITIONAL INFORMATION:

The Town's Officers note that there are some minor differences between the Display and Agenda plans. The Display plans have therefore been rescanned and attached for Council's consideration and determination. There are no changes required to the Agenda Report and accompanying Heritage Assessment.

Landowner:	Richmond Townhouses Pty Ltd
Applicant:	J Kestel
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	1631 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves demolition of two (2) single houses and construction of seven (7) two-storey single houses. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	7 dwellings R 40	7 dwellings R 40	Supported- no variation.
Plot Ratio	N/A	N/A	N/A
Setbacks: Ground floor: - South/Viva Lane (garage)	6.0 metres(or behind main building)	2.5 metres and in front of main building	Supported- proposed dwellings faces secondary street and consistent with established streetscape of reduced setbacks.

- South/Viva Lane (main building)	4.0 metres	3.2 metres	Supported- as above.
1st Floor - North/ Richmond Street	6.0 metres	5.0 metres (balcony) 5.85-6.0 metres (main building)	Supported in part- balconies setback considered acceptable on basis it is open, no undue impact on streetscape and it provides street interaction. Main building has been conditioned to be setback accordingly.
- South/ Viva Lane	6.0 metres	2.4 metres (balcony) 2.5-6.0 metres (main building)	Not supported- balconies has been conditioned to be setback 3.0 metres and main building 4.0 metres. Conditioned setbacks considered to be supportable on basis it is consistent with established streetscape of reduced setbacks and proposed dwellings faces secondary street.
Note: Internal setback variations not stated			
Privacy Setbacks	Balconies -7.5 metres	Units 5,6 and 7- 7.4 metres (includes width of Viva Lane)	Not supported- addressed above.
	Bedrooms- 4.5 metres	Units 1 and 4 - bedroom 3 is 3 metres to east and west boundaries respectively.	Not supported- has been conditioned to comply.
Driveways	Not to occupy more than 40 per cent of frontage	35-40+ per cent (exact percentage not stated due to tapered driveway and plans not being to scale)	Not supported- has been conditioned that driveway width be designed to minimum requirement to minimise impact on streetscape.
Consultation Submissions			
Support	Nil		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).		
Strategic Implications	Nil		
Financial/Budget Implications	Nil		

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

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

COMMENTS:

Demolition

In accordance with Policy 3.6.1- Heritage Assessment, the applicant has submitted independent Heritage Assessments (prepared by Palassis Architects - 29 March 2005) for the proposed demolition of existing dwellings at Nos. 35 (Lot 7219) and 37 (Lot 4943) Richmond Street, shown as an attachment to this report. The assessments have been undertaken to the Town's standard requirements.

The assessments for both Nos.35 and 37 Richmond Street found them to have primarily *"some historic value as part of the relatively intact group of (originally 6) houses (29-39 Richmond) built as part of the 'Workers' Homes' scheme of the Scaddan Labor Government following its election in 1911"* and *"little to some aesthetic value as an example of a modest Federation Bungalow and forms part of a row of houses built on large blocks in the early twentieth century."* The level of authenticity was considered to be moderate.

The streetscape of this section of Richmond Street, from the eastern side of Loftus Street to Morrison and Barnett Streets, is considered to be mixed in terms of construction dates, including the subject properties, post-World War Two bungalows and recent subdivided properties. The earlier subject dwellings and larger blocks are located on the southern side of the street.

Because the assessments found the places to have 'some historic value', the threshold is met for considering the place for the Municipal Heritage Inventory. However, the historic value identified is considered to be a broad one which is illustrated widely throughout the Town, and are not considered to be rare or particularly indicative of this particular post-war government-driven housing. The identified aesthetic value is considered limited and not sufficient to justify a recommendation of refusal. Whilst acknowledging the historic importance of Worker's Homes Board dwellings in the history of the Town of Vincent, the historic and aesthetic values for the subject places are considered to be insufficient, and it is recommended that the proposed demolition be approved, subject to standard conditions.

Redevelopment

In the interest of maintaining/protecting the streetscape, the Town has advised the applicant that the retention of the existing dwellings may make the property eligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies, and has also suggested to the applicant a redesign to provide tandem car bays in lieu of the proposed double garages.

Notwithstanding the above, the planning application is generally compliant with the Residential Design Codes and the relevant Town's Policies and therefore, is recommended for approval, subject to standard and appropriate conditions to address the matters raised in the report.

10.1.21 No. 591 (Lots 3 & 18) Beaufort Street, Mount Lawley - Proposed Demolition of Existing Vehicle Sales Premises and Construction of Three-Storey Mixed Use Development Comprising Eight (8) Multiple Dwellings and Three (3) Shops

Ward:	South	Date:	21 June 2005
Precinct:	Mount Lawley; P11	File Ref:	PRO3180; 00/33/2847
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Colliere Menkins Pickwell Architects on behalf of the owner LA Edwards & BM Glasheen for proposed Demolition of Existing Vehicle Sales Premises and Construction of Three-Storey Mixed Use Development Comprising Eight (8) Multiple Dwellings and Three (3) Shops, at No. 591 (Lots 3 & 18) Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 4 May 2005, subject to:*
- (a) *detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
 - (b) *first obtaining the consent of the owners of Nos. 581-583 and 595 Beaufort Street and No. 2 Vincent Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 581-583 and 595 Beaufort Street and No. 2 Vincent Street in a good and clean condition;*
 - (c) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
 - (d) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
 - (e) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street;*
 - (f) *prior to the first occupation of the development, nine (9) car parking spaces, including one (1) visitor car parking spaces, provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*

- (g) *any proposed vehicular entry gates adjacent to the car parking area shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial and residential tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (h) *the maximum gross floor area for the shop use shall be limited to 230 square metres unless adequate car parking is provided for the changes in floor space area;*
- (i) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained;*
- (j) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (k) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Beaufort Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (l) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$12,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$12,000, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (m) *prior to the first occupation of the development, each apartment shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (n) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (o) *on-site parking for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*

- (p) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (q) *prior to the first occupation of the development, one (1) class 1 or 2 and one (1) class 3 bicycle parking facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities;*
- (r) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
- (i) *the screening between the balconies of Apartments 1, 2 and 3 being permanent obscure glazing and non-openable to a minimum of 1.6 metres above the respective finished floor level. The permanent obscure glazing does not include a self-adhesive material or other material that is easily removed;*
 - (ii) *the terrace of Apartment 4 being open on at least 2 sides;*
 - (iii) *all car-parking bays being dimensioned on the Building Licence application working drawings and complying with the minimum specifications and dimensions specified in the Town's Parking and Access Policy and Australian Standards AS2890.1 – "Off Street Parking"; and*
 - (iv) *adequate access for the bin store areas.*
- The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (s) *speed humps shall be installed on the adjacent right of way in consultation with and as directed by the Town's Technical Services;*
- (t) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (u) *Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site; and*

- (v) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence; and*
- (ii) *the Council ADVISES the applicant that the Department for Planning and Infrastructure has advised as follows:*

"The subject land is affected by a land requirement for the future upgrading of Beaufort Street, which is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS). The attached extract of the WAPC Plan No. 1.3562/3 defines the land requirement [1.7 metres wide] for the ORR.

It is proposed that at some stage in the future the Western Australian Planning Commission will acquire this land for the purposes of widening the ORR.

You are advised to contact WAPC - Land Asset Management Branch of the Department for Planning and Infrastructure should you wish to discuss early purchase of the affected land by the Western Australian Planning Commission."

Moved Cr Ker, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Cr Chester departed the Chamber at 9.22pm.

Debate ensued.

Moved Cr Ker, Seconded Cr Maier

That clause (i)(r) be amended to read as follows:

"(i) (r) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*

(i) *~~the screening between the balconies of Apartments 1, 2 and 3 shall remain open to Beaufort Street at all times (as shown on the plans); permanent obscure glazing and non-openable to a minimum of 1.6 metres above the respective finished floor level. The permanent obscure glazing does not include a self-adhesive material or other material that is easily removed;~~*

(ii) *the terrace of Apartment 4 being open on at least 2 sides;*

(iii) *all car-parking bays being dimensioned on the Building Licence application working drawings and complying with the minimum specifications and dimensions specified in the Town's Parking and Access Policy and Australian Standards AS2890.1 - "Off Street Parking"; and*

(iv) *adequate access for the bin store areas.*

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

AMENDMENT CARRIED (7-0)

(Cr Doran-Wu was an apology. Cr Chester was absent from the Chamber and did not vote.)

Debate ensued.

Cr Chester returned to the Chamber at 9.25pm.

Moved Cr Ker, Seconded Cr Chester

That clause (i)(m) be amended to read as follows:

"(i) (m) *prior to the first occupation of the development, each apartment shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer or an automatic washing machine (that includes a drying cycle) or heated or ventilated compartment to the satisfaction of the Town's Health Services;*"

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr

That the issue of rubbish collection be looked into but that solution not be that rubbish will be left on any street that is not immediately adjacent to this lot.

AMENDMENT LAPSED FOR WANT OF A SECONDER

(Cr Doran-Wu was an apology.)

Moved Cr Lake, Seconded Cr ...

That the matter of rubbish collection be looked into but that the solution not be that the rubbish is left on Chelmsford Road.

AMENDMENT LAPSED FOR WANT OF A SECONDER

(Cr Doran-Wu was an apology.)

Moved Cr Chester, Seconded Cr Ker

That the rubbish collection issue be investigated and the matter not detract from the amenity of the area.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Moved Cr Maier, Seconded Cr Farrell

That clause (i)(s) be amended to read as follows:

"(i) (s) *speed humps shall be installed on the adjacent right of way in consultation with and as directed by the Town's Technical Services and at the applicant/owner's expense;*"

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.21

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Colliere Menkins Pickwell Architects on behalf of the owner LA Edwards & BM Glasheen for proposed Demolition of Existing Vehicle Sales Premises and Construction of Three-Storey Mixed Use Development Comprising Eight (8) Multiple Dwellings and Three (3) Shops, at No. 591 (Lots 3 & 18) Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 4 May 2005, subject to:*
- (a) *detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
 - (b) *first obtaining the consent of the owners of Nos. 581-583 and 595 Beaufort Street and No. 2 Vincent Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 581-583 and 595 Beaufort Street and No. 2 Vincent Street in a good and clean condition;*
 - (c) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
 - (d) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
 - (e) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street;*
 - (f) *prior to the first occupation of the development, nine (9) car parking spaces, including one (1) visitor car parking spaces, provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*

- (g) *any proposed vehicular entry gates adjacent to the car parking area shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial and residential tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (h) *the maximum gross floor area for the shop use shall be limited to 230 square metres unless adequate car parking is provided for the changes in floor space area;*
- (i) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained;*
- (j) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (k) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Beaufort Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (l) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$12,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$12,000, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (m) *prior to the first occupation of the development, each apartment shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer or an automatic washing machine (that includes a drying cycle) or heated or ventilated compartment to the satisfaction of the Town's Health Services;*
- (n) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (o) *on-site parking for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*

- (p) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (q) *prior to the first occupation of the development, one (1) class 1 or 2 and one (1) class 3 bicycle parking facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities;*
- (r) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
- (i) *the balconies of Apartments 1, 2 and 3 shall remain open to Beaufort Street at all times (as shown on the plans);*
 - (ii) *the terrace of Apartment 4 being open on at least 2 sides;*
 - (iii) *all car-parking bays being dimensioned on the Building Licence application working drawings and complying with the minimum specifications and dimensions specified in the Town's Parking and Access Policy and Australian Standards AS2890.1 – "Off Street Parking"; and*
 - (iv) *adequate access for the bin store areas.*
- The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (s) *speed humps shall be installed on the adjacent right of way in consultation with and as directed by the Town's Technical Services and at the applicant/owner's expense;*
- (t) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (u) *Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site; and*

- (v) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence; and*
- (ii) *the Council ADVISES the applicant that the Department for Planning and Infrastructure has advised as follows:*

"The subject land is affected by a land requirement for the future upgrading of Beaufort Street, which is reserved as an Other Regional Road (ORR) in the Metropolitan Region Scheme (MRS). The attached extract of the WAPC Plan No. 1.3562/3 defines the land requirement [1.7 metres wide] for the ORR.

It is proposed that at some stage in the future the Western Australian Planning Commission will acquire this land for the purposes of widening the ORR.

You are advised to contact WAPC - Land Asset Management Branch of the Department for Planning and Infrastructure should you wish to discuss early purchase of the affected land by the Western Australian Planning Commission."

ADDITIONAL INFORMATION:

Single Bedroom Plot Ratio

The condition requiring the balconies to be open on at least two sides is included to meet the acceptable development standard for plot ratio for single bedroom dwellings as outlined in the Residential Design Codes (R Codes).

The plot ratio variation for the development at Nos. 378-390 Beaufort Street was supported because *"the variation is similar to the previous 13 April 2004 approval"*. No similar approval exists for the subject site.

Internal Lighting and Ventilation

Based on the details provided on the submitted Planning Application plans, it appears that compliance with the Building Code of Australia Part F-4 "Light and Ventilation" can be achieved subject to the door to the bedrooms being glazed.

Manoeuvring

The Town's Technical Services have advised that rubbish trucks will need to reverse along the right of way in order to access the proposed rear bin stores. Therefore, bins will need to be wheeled from the bin stores to Beaufort Street for rubbish collection. The bin stores could be more conveniently located at the rear of 'Retail Tenancy 3', and the stores relocated to the rear. This matter can be addressed at the Building Licence stage.

Landowner:	LA Edwards & BM Glasheen
Applicant:	Colliere Menkins Pickwell Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Caryard
Use Class:	Multiple Dwelling & Shop
Use Classification:	"AA", "P"
Lot Area:	845 square metres
Access to Right of Way	West side, 5.02 metres wide, sealed, Town-owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves proposed demolition of existing vehicle sales premises and construction of three-storey mixed use development comprising eight (8) multiple dwellings and three (3) shops, at the subject property. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	6 multi-bedroom dwellings or 10 single bedroom dwellings (multiple dwellings) R 80	4 single bedroom dwellings and 4 multi-bedroom dwelling (multiple dwellings) R 79	Supported- no variation.
Plot Ratio	1.0- 842 square metres	0.8 - 670 square metres excludes ground floor storerooms and balconies which are open on two sides or conditioned to be open on two sides (privacy screens which are 1.6 metres high and of obscure glazing are considered to be open)	Supported- no variation.
Car Parking for Residential Component	8 car bays (after the reduction of the commercial parking bays which are available after hours, as per R-Codes)	9 car bays	Supported- no variation.
Single Bedroom Plot Ratio	60 square metres	Apartment 1 - 87 square metres Apartment 2 - 74 square metres Apartment 3 - 74 square metres Apartment 4 - 74 square metres	Not supported- single bedroom balconies/terrace have been conditioned to be open on two sides, therefore resulting in compliance with single bedroom plot ratio.
Storage area	Internal area of 4 square metres	Stores 1-4 (single bedroom dwellings) have area of 3.5 square metres.	Supported- minor variation in this instance and reduced size storerooms are considered adequate for future residents given there is likely to be less occupants

		and need to store 'bulkier' equipment/goods tools for single bedroom multiple dwellings.
Consultation Submissions		
Comment	The Department of Planning and Infrastructure have advised it has no objections to the subject proposal, subject to applicant/owner being advised of Clause (ii) of the Officer Recommendation.	Noted.
Support	Nil	Noted.
Objection (1)	<ul style="list-style-type: none"> • Size of apartment • Storage area 	Supported- has been conditioned to comply Not supported- refer to above.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil
Car Parking- Commercial Component		
Car parking requirement (nearest whole number)		15 car bays
<ul style="list-style-type: none"> • Retail - 15 car bays 		
Apply the adjustment factors.		(0.5491)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of a car park with excess of 75 car parking spaces) • 0.80 (contains mix of uses, with at least 45 per cent of gross floor area being residential) • 0.95 (provision of bicycle parking) 		8.24 car bays
Minus the car parking provided on-site		8 car bays
Minus the most recently approved on-site car parking shortfall		Not applicable as proposal is to redevelop a vacant site.
Resultant shortfall		0.24 car bay**
Bicycle Parking Facilities		
Shop	<ul style="list-style-type: none"> • 1 per 300 square metres public area for employees (class 1 or 2)- 0.77 space • 1 space per 200 square metres public area for visitors (class 3)- 1.15 spaces 	Plans indicate bicycle parking area, matter has been further conditioned accordingly.

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

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

**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.

COMMENTS:

Demolition

A brick duplex constructed circa 1917 was originally located on the subject site, occupying house numbers 587 and 591. Alterations to the existing building occurred in 1966, at which time it was being used as an office facility. The proposed demolition of the existing building is supported.

Redevelopment

With the above in mind, the proposal is recommended for approval, subject to standard and appropriate conditions to address the scale and nature of the proposal for the following reasons:

- the proposal in this instance is considered to be compatible with the uses of the surrounding area and not to unduly intrude on the amenity of the neighbouring properties;
- the Town's Policy relating to the Mount Lawley Precinct allows for the consideration of three storey (including loft) buildings and in this instance, the bulk and scale of the development is not considered to an undue impact on streetscape of the area;
- given the site's location along a main road, the site is considered to be currently underdeveloped and has the capacity to be developed further, as per the subject proposal;
- vehicular access is to be from the adjoining right of way and adequate parking is provided;
- the proposal in this instance promotes the integration of the work place and residences and thus, diversifying the land use and providing casual surveillance of the area;
- the general encouragement of the R- Codes to promote both a diverse range of inner city housing and mixed use development; and
- the proposed use is considered to enhance and improve the streetscape and surrounding area and be a more appropriate use than the existing vehicle sales premises use.

10.1.11 No. 82 (Lot 1, Strata Lot 2) Paddington Street, North Perth - Proposed Two-Storey Single House

Ward:	North	Date:	20 June 2005
Precinct:	North Perth; P8	File Ref:	PRO3134; 00/33/2769
Attachments:	001		
Reporting Officer(s):	J Meggitt		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Ron Jee Architect on behalf of the owner SN Lo Presti for proposed Two-Storey Single House, at Nos. 82 (Lot 1, Strata Lot 2) Paddington Street, North Perth, and as shown on plans stamp-dated 3 June 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Paddington Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) the window to bedroom 3 on the western elevation on the first floor, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window complying with the privacy requirements as defined in the Residential Design Codes 2002;*
 - (b) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the west side of the Terrace shall be screened with a permanent obscure glazing and non-openable to a minimum height of 1.6 metres above the finished first floor level.*

A permanent obscure material does not include a self adhesive material or other material that is easily removed. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and

- (iv) *subject to first obtaining the consent of the owners of No. 438 Charles Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 438 Charles Street in a good and clean condition.*
-

Moved Cr Ker, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Cr Lake and Cr Messina departed the Chamber at 9.37pm.

Debate ensued.

Moved Cr Ker, Seconded Cr Maier

That new clauses (v)(a) and (v)(b) be added as follows:

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

(a) *the parking area in front of the garage having a minimum length of 5.4 metres, or the garage front door being deleted so that the garage and car parking bay has a total unobstructed tandem length of at least 10 metres; and*

(b) *the remaining driveway area that cannot satisfy the minimum car parking length of 5.4 metres being shown as landscaping and not used for car parking.*

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

Debate ensued.

AMENDMENT CARRIED (6-0)

(Cr Lake and Cr Messina were absent from the Chamber. Cr Doran-Wu was an apology.)

Moved Cr Maier, Seconded Cr Chester

That clause (iii)(b) be amended to read as follows:

"(iii) (b) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the west and north sides of the Terrace shall be screened with a permanent obscure glazing and non-openable to a minimum height of 1.6 metres above the finished first floor level."*

Debate ensued.

AMENDMENT CARRIED (6-0)

(Cr Lake and Cr Messina were absent from the Chamber. Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (6-0)

(Cr Lake and Cr Messina were absent from the Chamber. Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.11

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Ron Jee Architect on behalf of the owner SN Lo Presti for proposed Two-Storey Single House, at Nos. 82 (Lot 1, Strata Lot 2) Paddington Street, North Perth, and as shown on plans stamp-dated 3 June 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Paddington Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) the window to bedroom 3 on the western elevation on the first floor, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window complying with the privacy requirements as defined in the Residential Design Codes 2002;*
 - (b) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the west and north sides of the Terrace shall be screened with a permanent obscure glazing and non-openable to a minimum height of 1.6 metres above the finished first floor level.*

A permanent obscure material does not include a self adhesive material or other material that is easily removed. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and

- (iv) subject to first obtaining the consent of the owners of No. 438 Charles Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 438 Charles Street in a good and clean condition.*
- (v) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) the parking area in front of the garage having a minimum length of 5.4 metres, or the garage front door being deleted so that the garage and car parking bay has a total unobstructed tandem length of at least 10 metres; and*

- (b) *the remaining driveway area that cannot satisfy the minimum car parking length of 5.4 metres being shown as landscaping and not used for car parking.*

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

At 9.40pm, Mayor Catania called an adjournment of the meeting for a comfort stop.

At 9.50pm, Council resumed with the following persons present:

Mayor Catania, Cr Chester, Cr Farrell, Cr Ker, Cr Lake, Cr Messina, Cr Maier. The following officers were also present: John Giorgi, Rob Boardman, Rick Lotznicher, Mike Rootsey.

Cr Torre was absent from the Chamber.

Landowner:	SN Lo Presti
Applicant:	Ron Jee Architect
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	577 square metres. Strata Lot 2: 238 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the development of a 2 storey dwelling on a previously subdivided corner lot. The subject strata lot effectively fronts onto a secondary street. The application involves a variation from the Town's front setback requirements for the second storey (bedroom 2) and balcony terrace.

In addition to the front setback variation, the proposal also requires a setback variation for the terrace on the second storey western boundary.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Front Setbacks: Second Storey- Bedroom 2	6.0 metres	4.0 metres	Supported - acceptable variations on a former corner property / secondary street.
Balcony Terrace	6.0 metres	3.0 metres	

Side Setback: West	2.3 metres	Nil	Supported - screened to 1.6 metres high and supported by neighbours.
Privacy Setbacks	Bedrooms- 4.5 metres	Bedroom 3 – 3.8 metres to the north boundary	Not supported- has been conditioned to comply
Consultation Submissions			
Support (1)	Support, subject to no overlooking windows.		Noted - a 1.6 metres high screen preventing undue overlooking from the retreat window and terrace, setback 1.2 metres from this boundary, is proposed. The bedroom 3 window complies with the privacy requirements.
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

COMMENTS:

The Development Application plans are regarded to be acceptable as addressed above and as there have been no objections received from neighbours.

The proposal is therefore recommended for approval, subject to standard and appropriate conditions.

10.1.17 No. 339 (Lot 4) Lord Street, Perth - Proposed Demolition of Existing Single House

Ward:	South	Date:	20 June 2005
Precinct:	Forrest; P14	File Ref:	PRO3171; 00/33/2837
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner R Sanges for proposed Demolition of Existing Single House, at No. 339 (Lot 4) Lord Street, Perth, and as shown on plans stamp-dated 3 May 2005, subject to:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies.*

Moved Cr Ker, Seconded Cr Farrell

That the recommendation be adopted with the following amendment:

Amend clause (v) of the previous recommendation, as follows:

"(v) demolition of the existing dwelling ~~may~~ will make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and"

Debate ensued.

MOTION CARRIED (7-0)

(Cr Torre was absent from the Chamber. Cr Doran-Wu was an apology.)

Cr Torre returned to the Chamber at 9.52pm.

COUNCIL DECISION ITEM 10.1.17

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner R Sanges for proposed Demolition of Existing Single House, at No. 339 (Lot 4) Lord Street, Perth, and as shown on plans stamp-dated 3 May 2005, subject to:

- (i) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) *a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) *demolition of the existing dwelling will make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies.*

Landowner:	R Sanges
Applicant:	R Sanges
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	825 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing dwelling.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No advertising was required for this application			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

A detailed Heritage Assessment is contained in an attachment to this report.

The subject place is likely to have been constructed circa 1920 and represents part of the Inter-War building stock constructed along Lord Street formally known as Old Guildford Road, Highgate. The dwelling is single storey, brick and tile in which alterations have been made to the front and the rear of the dwelling. The place is not rare and is considered to be of *little* aesthetic, historic, scientific or social value.

The place has *little* cultural heritage significance, and does not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory.

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

10.1.18 No. 341 (Lot 3) Lord Street, Perth - Proposed Demolition of Existing Single House

Ward:	South	Date:	20 June 2005
Precinct:	Forrest; P14	File Ref:	PRO3172; 00/33/2838
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner R Sanges for proposed Demolition of Existing Single House, at No. 341 (Lot 3) Lord Street, Perth, and as shown on plans stamp-dated 3 May 2005, subject to:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies.*

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted with the following amendment:

"Amend clause (v) of the previous recommendation, as follows:

- (v) demolition of the existing dwelling ~~may~~ will make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and"*

Debate ensued.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.18

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner R Sanges for proposed Demolition of Existing Single House, at No. 341 (Lot 3) Lord Street, Perth, and as shown on plans stamp-dated 3 May 2005, subject to:

- (i) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) *a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) *demolition of the existing dwelling will make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies.*

Landowner:	R Sanges
Applicant:	R Sanges
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	830 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing dwelling.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No advertising was required for this application			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

A detailed Heritage Assessment is contained in an attachment to this report.

The subject place is likely to have been constructed c1920 and represents part of the Inter-War building stock constructed along Lord Street, formally known as Old Guildford Road, Highgate. The dwelling is single storey, brick and tile in which alterations have been made to the front and rear of the dwelling. The place is not rare and is considered to be of *little* aesthetic, historic, scientific or social value.

The place has *little* cultural heritage significance, and does not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory.

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

10.1.19 No. 343 (Lot 2) Lord Street, Perth - Proposed Demolition of Existing Single House

Ward:	South	Date:	21 June 2005
Precinct:	Forrest; P14	File Ref:	PRO3175; 00/33/2843
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner J Constantine for proposed Demolition of Existing Single House, at No. 343 (Lot 2) Lord Street, Perth, and as shown on plans stamp-dated 5 May 2005, subject to:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies.*

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted with the following amendment:

Amend clause (v) of the previous recommendation, as follows:

"(v) demolition of the existing dwelling ~~may~~ will make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and"

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.19

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner J Constantine for proposed Demolition of Existing Single House, at No. 343 (Lot 2) Lord Street, Perth, and as shown on plans stamp-dated 5 May 2005, subject to:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) demolition of the existing dwelling will make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies.*

Landowner:	J Constantine
Applicant:	J Constantine
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	835 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing dwelling.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No advertising was required for this application			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

A detailed Heritage Assessment is contained in an attachment to this report.

The subject place is likely to have been constructed circa 1919 and represents part of the Inter-War building stock constructed along Lord Street, formally known as Old Guilford Road, Highgate. The dwelling is single storey, brick, iron and weatherboard in which alterations have been made to the front and rear of the dwelling. The place is not rare and is considered to be of *little* aesthetic, historic, scientific or social value.

The place has *little* cultural heritage significance and does not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory.

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

10.1.20 No. 329 (Lot 7) Oxford Street, Leederville - Proposed Partial Demolition of and Alterations and Additions to Existing Consulting Rooms

Ward:	South	Date:	20 June 2005
Precinct:	Leederville; P3	File Ref:	PRO1701; 00/33/2685
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner C O'Connor for proposed Partial Demolition of and Alterations and Additions to Existing Consulting Rooms, at No. 329 (Lot 7) Oxford Street, Leederville, and as shown on plans stamp-dated 31 January 2005, subject to:

- (i) *this Planning Approval is not to be construed as support of any increase in the intensification of the land use on the subject site. A Planning Application is required to be submitted to and approved by the Town for any increase in the approved consulting rooms and consultants on the subject site;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (iii) *the development shall be adequately sound insulated, including the solid boundary wall along the northern elevation, prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (iv) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (v) *a maximum of three (3) rooms shall be used for consulting at any one time;*
- (vi) *a maximum of three (3) consultants shall be working at the premises at any one time;*
- (vii) *the consulting rooms shall operate between the hours of 8am and 6pm, Monday to Friday inclusive, and 8am to 12pm Saturday inclusive;*
- (viii) *first obtaining the consent of the owners of No. 331 Oxford Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 331 Oxford Street in a good and clean condition;*

- (ix) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Oxford Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency; and*
- (x) *practitioners/consultants operating from the site shall be a legally qualified medical practitioner, physiotherapist, chiropractor, chiropodist and/or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments and shall not be undertaking any type of massaging.*

COUNCIL DECISION ITEM 10.1.20

Moved Cr Maier, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

CARRIED (7-1)

<u>For</u> Mayor Catania Cr Chester Cr Farrell Cr Ker Cr Lake Cr Messina Cr Torre	<u>Against</u> Cr Maier
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(Cr Doran-Wu was an apology.)

Landowner:	C O'Connor
Applicant:	C O'Connor
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1) : Residential R60
Existing Land Use:	Consulting Rooms
Use Class:	Consulting Rooms
Use Classification:	"SA"
Lot Area:	564 square metres
Access to Right of Way	West side, 5 metres wide, sealed, Town owned

BACKGROUND:

1 May 2001 The Town, under delegated authority, conditionally approved change of use from single house to consulting rooms and associated alterations.

DETAILS:

The proposal involves partial demolition of and alterations and additions to existing consulting rooms. The additions are proposed along the northern elevation and include a treatment room, archive room, staff area, nurse room and administration area. These additions include an extension to the existing boundary wall along the northern elevation. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Boundary Walls	Maximum height of 3.5 metres with an average height of 3.0 metres	Maximum height of 3.8 metres with an average height of 3.125 metres	Supported – sloping nature of topography, no objections received and no undue impact.
Setbacks: North - Nurse Room, Staff Area and Archive Room	1.5 metres	Nil	Supported - sloping nature of topography, no objections received and no undue impact.
Consultation Submissions			
Support	Nil		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:**Land Use and Car Parking**

The proposed alterations and additions are not considered to intensify the existing approved land use on the subject site. Car parking requirements for consulting rooms are calculated on the number of consulting rooms approved for the site; the approved consulting rooms for the subject site will remain at 3. A condition is included in the Officer Recommendation for a Planning Application to be submitted to and approved by the Town for any increase in the consulting rooms on-site.

Consultation/Advertising

In light of the above, the Town's Officers considered an "AA" advertising procedure, as detailed in the Town's Community Consultation Policy, to be appropriate for the proposed development.

No submissions were received during this period.

Non Residential/Residential Development Interface

The proposed alterations and additions are considered to comply with the Non Residential/Residential Development Interface Policy except for the non-compliances listed in the Assessment Table.

Summary

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.28 Nos. 76-76A (Lots 10 & 2) East Street (corner Berryman Street), Mount Hawthorn - Proposed Subdivision

Ward:	North	Date:	22 June 2005
Precinct:	Mount Hawthorn; P1	File Ref:	128200
Attachments:	001		
Reporting Officer(s):	S Klarich		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission (WAPC), for the application submitted by Tuscom Subdivision Consultants Pty Ltd on behalf of the owner The Boy Scouts Association (WA Section) Inc for proposed Subdivision, at Nos. 76-76A (Lots 10 & 2) East Street, corner Berryman Street, Mount Hawthorn, and as shown on plans stamp-dated 22 April 2005, subject to:

- (i) the applicant obtaining Planning Approval and/or Building Licence for the development of a house(s) on the lots less than 350 square metres in accordance with Clause 2.3.3 of the Residential Design Codes;*
- (ii) all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
- (iii) support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
- (iv) if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, a separate Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
- (v) all buildings and structures that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
- (vi) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. The maximum permitted amount of fill and height of associated retaining walls is 500 millimetres above the existing pre-subdivision ground level, and any greater amount of fill or higher retaining wall requires a separate Planning Approval to be applied to and obtained from the Town of Vincent; and*
- (vii) the street verge trees on East Street and Berryman Street adjacent to the subject land being retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works.*

COUNCIL DECISION ITEM 10.1.28

Moved Cr Chester, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Moved Cr Chester, Seconded Cr Farrell

That Lot 3 be required to have vehicular access off East Street.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.28

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission (WAPC), for the application submitted by Tuscom Subdivision Consultants Pty Ltd on behalf of the owner The Boy Scouts Association (WA Section) Inc for proposed Subdivision, at Nos. 76-76A (Lots 10 & 2) East Street, corner Berryman Street, Mount Hawthorn, and as shown on plans stamp-dated 22 April 2005, subject to:

- (i) the applicant obtaining Planning Approval and/or Building Licence for the development of a house(s) on the lots less than 350 square metres in accordance with Clause 2.3.3 of the Residential Design Codes;*
- (ii) all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
- (iii) support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
- (iv) if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, a separate Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
- (v) all buildings and structures that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
- (vi) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. The maximum permitted amount of fill and height of*

associated retaining walls is 500 millimetres above the existing pre-subdivision ground level, and any greater amount of fill or higher retaining wall requires a separate Planning Approval to be applied to and obtained from the Town of Vincent;

- (vii) the street verge trees on East Street and Berryman Street adjacent to the subject land being retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works; and*
- (viii) Lot 3 be required to have vehicular access off East Street.*

Landowner:	The Boy Scouts Association (WA Section) Inc
Applicant:	Tuscom Subdivision Consultants Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R30
Existing Land Use:	Scout Hall
Use Class:	Single House
Use Classification:	"P"
Lot Area:	Lot 10, 627 square metres Lot 2, 250 square metres Total area, 877 square metres (893 square metres, including truncation)
Access to Right of Way:	Nil

BACKGROUND:

- 23 November 2004 The Council at its Ordinary Meeting, resolved to approve the application submitted by Scout Association of Australia for the demolition of existing club building (Scout Hall) at Nos 76-76a, (Lots 10 and 2) East Street, Mount Hawthorn.
- 2 December 2004 Conditional approval issued for the demolition of existing club building (Scout Hall).

DETAILS:

The proposal involves an amalgamation/subdivision of the subject two lots of 627 square metres and 250 square metres into three equal sized lots as follows: Proposed Lot 1, 300 square metres, Lot 2, 300 square metres, and corner Lot 3, 277 square metres (including truncation, 293 square metres).

The application is being assessed as a variation to the average site area required under the Residential Design Codes. The codes allow for a 5 percent reduction in area required under the R30 coding.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2.92 dwellings R30	3 dwellings R 34 - excluding truncation R 33 - including truncation - 1 percent density bonus	Supported - within the 5 per cent variation permitted under the Residential Design Codes, and refer to "Comments".

Plot Ratio	N/A	N/A	N/A
Lot Area	Minimum 270 square metres and an average of 300 square metres	Lot 1 - 300 square metres Lot 2 - 300 square metres Lot 3 - 277 square metres (293 square metres including truncation)	Supported - complies with the minimum lot area, is within the 5 per cent variation permitted under the Residential Design Codes, and refer to "Comments".
Consultation Submissions			
Support	N/A		Noted
Objection	N/A		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

The Residential Design Codes (R Codes) allow for consideration of a variation to the minimum lot size requirement of up to 5 per cent under the performance criteria. The Residential R30 density code requires that a minimum lot size of 270 square metres is achieved with an average of 300 square metres.

Currently, the subject property is on two existing lots with Lot 10 having an area of 627 square metres and Lot 2 having an area of 250 square metres. In its current form, the existing Lot 10 can be subdivided into 2 separate lots of over 300 square metres each which meets the minimum and average lot size permitted in the R Codes, with the existing Lot 2 remaining as 250 square metres. Considering this, the total yield for both properties is 3 dwellings.

The applicant however, seeks to produce 3 lots of equal size, with proposed areas of; Lot 1, 300 square metres, Lot 2, 300 square metres and corner Lot 3, 277 square metres (including truncation 293 square metres). Acceptable development contained within the R Codes permits up to 20 square metres of a truncation to be included in the area of the adjoining lot. Therefore, including the truncation, the total area of the properties is 893 square metres which represents a shortfall of 1 per cent. The proposal complies with the provision of a maximum 5 per cent variation.

Access to the 3 lots is proposed off Berryman Street rather than East Street which provides them with two distinct advantages, the first being a north/south orientation that enables greater scope for efficient solar design, and the second being a wider lot frontage to each block of 10 metres, rather than 9 metres should access be obtained from East Street.

In light of the above, the proposal complies with the provisions of the R Codes and is considered supportable.

10.1.32 Proposed State Land Redevelopment and Renewal Authority

Ward:	Both	Date:	17 June 2005
Precinct:	All	File Ref:	PLA0158
Attachments:	001		
Reporting Officer(s):	C Mooney, H Coulter		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the 'Infopage' dated 16 May 2005 and associated documentation in relation to the Proposed State Land Redevelopment and Renewal Authority, as shown in the attachment to the report; and*
- (ii) *ADVISES the Western Australian Local Government Association, that the Council SUPPORTS IN PRINCIPLE, the proposed 'State Land Redevelopment and Renewal Authority' and the preferred 'Plus Landcorp Model' ('Option 1'), however a definitive view on the proposal or the preferred model cannot be made by the Town until a specific model has been chosen and associated objectives, operations and powers of the Authority are made available to the Town for comment.*

Moved Cr Chester, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Moved Cr Chester, Seconded Cr Ker

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

- “(ii) *ADVISES the Western Australian Local Government Association, that the Council SUPPORTS IN PRINCIPLE, the proposed 'State Land Redevelopment and Renewal Authority' and the preferred 'Plus Landcorp Model' ('Option 2'); however a definitive view on the proposal or the preferred model cannot be made by the Town until a specific model has been chosen and associated objectives, operations and powers of the Authority are made available to the Town for comment. and considers a specifically focused and empowered Authority better able to deliver a high standard of social, environmental and economic benefits to complex project areas.*”

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.1.32

That the Council;

- (i) *RECEIVES the 'Infopage' dated 16 May 2005 and associated documentation in relation to the Proposed State Land Redevelopment and Renewal Authority, as shown in the attachment to the report; and*
 - (ii) *ADVISES the Western Australian Local Government Association, that the Council SUPPORTS IN PRINCIPLE, the proposed 'State Land Redevelopment and Renewal Authority' and the preferred 'Model' ('Option 2') and considers a specifically focused and empowered Authority better able to deliver a high standard of social, environmental and economic benefits to complex project areas.*
-

PURPOSE OF REPORT:

The purpose of this report is to provide information relating to the Proposed State Land Redevelopment and Renewal Authority, and advise the Western Australian Local Government Association (WALGA) of the Council's comments.

DETAILS:

The Town has received correspondence dated 16 May 2004 and associated documentation from the Western Australian Local Government Association (WALGA) inviting initial thoughts and/or questions on the Minister for Planning and Infrastructure's proposal to create a single State Land Redevelopment and Renewal Authority to undertake specific regional or urban renewal projects around the State. The WALGA Infopage states the following in this regard:

"... , the Minister for Planning and Infrastructure has proposed that a single Land Redevelopment and Renewal Authority be established to undertake specific regional or urban renewal projects around the State.

Attached is a Consultation Paper- Redevelopment Authority', which has now been provided to the Association by the Minister for Planning and Infrastructure. The paper has now been provided as a basis for consultation with Local Governments and outlines the nature of Redevelopment Authorities, the two models currently under consideration and high level information on the role of the governing Board and issues relevant to site selection. The association has been advised by the Minister that at this stage, no further detail has been developed.

The Minister has indicated that she will be seeking Cabinet approval in principle for the preferred model and to prepare legislation, by the 1 June 2005. [Now 30 June 2005]."

The consultation paper outlines the following:

- *Background nature of Redevelopment Authorities*
- *Two Models under construction*
 - *Base Model – Existing Redevelopment Authority's of East Perth and Subiaco*
 - *Base Model plus Landcorp –referred to as 'The Plus Landcorp Model'. The model will have Landcorp as a separate business unit within the model and will not have any planning powers.*
- *Models to have 'a global board' incorporating skill sets seen on the existing Redevelopment Authority Boards and the Board of Landcorp, that is, business, urban planning, sustainability, finance, property development, housing and community affairs.*

- *The Governing Board will be responsible for: Strategic Governance; Business Planning; Finance; Promotion and Coordination of the land in the redevelopment areas.*
- *Urban Renewal Division: The division of the organisation would be responsible for servicing the Project Boards, providing a permanent 'employment home' for employees with a diverse set of skills.*
- *Sharing development proceeds: Where the local authority has an interest in a redevelopment area as a landowner or contributor of funds to the redevelopment the financial arrangements will be the subject of a legally binding agreement between State and Local government.*
- *Site selection: 3 or 4 new precincts underway at one time, identification of site selection includes; the presence of large public land holdings, broader strategic significance of the site, contamination and remediation responsibilities, and impacts beyond the local government area.*
- *Armadale and Midland Redevelopment Authorities will continue to function in the way they currently operate. . .*

"Local Government Input

Please note that these models are still being developed and submissions are being called for urgently in order for the views or the stakeholders can be considered during this important formative stage. . . Further detailed consultation on the legislation will commence once the model has been chosen and drafting of legislation begins."

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Town Planning Scheme No.1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 - Key Result Area: *'1.3 Develop, implement and promote sustainable urban design'*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Minister's proposed single State Land Redevelopment and Renewal Authority has been considered by the Town's Officers on the basis of the brief material provided. It is considered that in principle, the proposal has merit, however a definitive view cannot be made by the Town until a specific detailed model has been decided by the Minister for Planning and Infrastructure. Clearly, the type of model, its objectives, operations, powers and associated implications for Local Government operations would need to be established prior to the Town being able to formally comment. In addition, significant matters relating to the Authority's management, mandate and objectives, consultation practices within local communities, its position on heritage management and similar would require particular clarification.

In terms of a preferred model, the Town's Officer's favour the 'Plus Landcorp Model' ('Model One') mainly on the basis that Landcorp has a 'track record' in dealing with significant government land holdings and the utilisation of skilled professional resources being readily available to assist the new Authority to establish its operations and future project management. An important consideration in developing the model will be the relationship

between local governments and the proposed Authority, inclusive of associated management and consultation requirements.

In light of the above, it is recommended that the Council receives the documentation relating to the Minister for Planning and Infrastructure's proposed single State Land Redevelopment and Renewal Authority and advises the Western Australian Local Government Association, that in principle, the proposal has merit, however a definitive view on the proposal or the preferred model cannot be made by the Town until a specific model has been chosen and associated objectives, operations and powers of the Authority are made available to the Town for comment.

10.2.2 Proposed Traffic Management – Anzac Road

Ward:	Both	Date:	22 June 2005
Precinct:	Mt Hawthorn P1	File Ref:	TES0334
Attachments:	001;		
Reporting Officer(s):	R Lotznicher, C Wilson		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Traffic Management - Anzac Road;*
- (ii) *APPROVES IN PRINCIPLE the proposal as outlined on attached Plan No 2349-CP-1;*
- (iii) *CONSULTS with residents in Anzac Road for a period of twenty-one (21) days; and*
- (iv) *RECEIVES a further report on the matter at the conclusion of the consultation period should any comments be received.*

COUNCIL DECISION ITEM 10.2.2

Moved Cr Messina, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

At 10.00pm it was,
Moved Cr Ker, Seconded by Farrell

That the meeting continue until 10.30pm.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council on the outcome of the Local Area Traffic Management (LATM) Advisory Group meeting held on 30 May 2005, where the Anzac Road traffic calming proposal was discussed.

BACKGROUND:

The LATM Advisory Group meets monthly to consider requests received by the Town relating to Traffic and related safety issues. The Group considers these requests and, where warranted, the Group's recommendations are reported to the Council.

At the ordinary Meeting of Council held on 12 April 2005, various traffic matters were considered by the Council, where the following decision was made:

“That the Council;

- (i) RECEIVES the report on Traffic Management - Various Matters;*
- (ii) REFERS the following nine (9) traffic matters, as listed below and detailed in the report, to the Town's Local Area Traffic Management Advisory Group for their consideration;*
 - (a) Anzac Rd - Traffic calming;*
 - (b) Fairfield St - Safety improvements north of Scarborough Bch Rd;*
 - (c) Lincoln / Wright Sts - Through traffic;*
 - (d) Smith St - Embayed parking / traffic calming;*
 - (e) Claverton and Alfonso St - Traffic calming;*
 - (f) View St - Road narrowing, streetscape improvements;*
 - (g) Lacey St - Parking and traffic Issues;*
 - (h) Road Safety messages on Mobile Garbage Bins (MGBs);*
 - (i) Lincoln St - Lord St to Smith St; and*
- (iii) RECEIVES a further report on each of the matters listed following consideration by the Town's Local Area Traffic Management Advisory Group.”*

DETAILS:

The following information was presented to the Ordinary meeting of Council held on 12 April 2005:

“Anzac Rd Information

Section: Oxford St to Buxton St
Request: Traffic Calming
Posted Speed: 50kph
Traffic Data: (2004 - 2005 data)

<i>Section</i>	<i>Volume (vpd)</i>	<i>85% Speed (kph)</i>
<i>Coogee - Flinders</i>	<i>5,879</i>	<i>57</i>
<i>Buxton - Kalgoorlie</i>	<i>5,679 (Mar 05)</i>	<i>54</i>
<i>Buxton - Egina</i>	<i>5,132 *</i>	<i>50*</i>
<i>Egina - Federation</i>	<i>5,424</i>	<i>57</i>

Note* This section of Anzac Road was recently traffic calmed with low profile speed humps.

Classification: District Distributor B
Budget: \$15,000
Comments: Anzac Rd provides a link between Oxford Street and Brady Street. The posted speed is 50 kph and the 85% speed is approximately 7 kph above the posted speed. The police have been requested to monitor the street on several occasions to change driver behaviour. Residents are still concerned with traffic issues in the street.”

Local Area Traffic Management Advisory Group Meeting - 30 May 2005

The group was advised that Anzac Road was a District Distributor B road and in accordance with its function could carry in the order of 6,000 vehicles per day. Further, Transperth service No. 15 used Anzac Road between Federation Street and Kalgoorlie Street.

The invited guests acknowledged that the recent changes in Anzac Road, between Egina and Buxton Streets, had improved the situation, particularly when turning right out of Buxton Street into Anzac Road west bound, however, they were of the opinion the speed humps were not high enough and, as a consequence, traffic was still exceeding 50kph and did not appear to slow down to any great degree.

Officers advised data collected in March 2005 showed that the 85% speed between Egina and Buxton Streets had in fact dropped to 50kph, from a high 57kph in August 2003, indicating that the humps were of the right height.

Officers further advised that as the No. 15 Transperth service used this section of Anzac Road they would be reluctant to raise the humps. Further, both Transperth and the Public Transport Authority had endorsed the Town's low profile speed humps as suitable for use on bus routes.

With regard to the remainder of Anzac Road, the data, collected in 2003/04, indicated that the 85% speed was in the high 50s and low 60s for much of Anzac Road, other than the aforementioned section.

The proposal presented was for a series of speed humps strategically located, rather than at regular spacings, to take advantage of the existing islands and nibs to ensure vehicles had to slow on approach to the intersections rather than midblock. It was suggested that the Egina / Buxton scenario be repeated as it has effectively "broken up" the traffic flow and reduced the impact upon the surrounding residents as the humps were confined to half the road width.

Conclusion / recommendation

The Group agreed to collect new data and that if the data had not changed significantly (from 2003/04) then it would be appropriate to take a report directly to Council outlining the aforementioned proposal and recommending further public consultation. If there had been a significant change, (either up or down), the item should be brought back to the Group for further consideration.

Additional Data

As agreed by the Group, classifiers were redeployed along Anzac Road at the following locations on

Section	VPD pre 2005	85% Speed kph	VPD 2005	85% Speed kph
East St to Federation St	5442	61	4987	59.0
Federation St to Egina St	5255	60	5424	57.0
Egina St to Buxton St	5608	57	5132	50.0
Buxton St to Kalgoorlie St	5818	59	5679	54.0
The Boulevarde to Matlock St	5425	61	4749	59.0
Coogee St to Flinders St	5879	57	4948	56.5
Flinders St to Fairfield St	5357	58	4510	59.0

The results indicate that the volumes and speeds, while having changed slightly, are still reasonably consistent with the previous recorded data.

CONSULTATION/ADVERTISING:

Consultation with Anzac Road residents will be undertaken and they will be given 21 days to provide their comments.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “o) *Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group.*”

FINANCIAL/BUDGET IMPLICATIONS:

No	Traffic matter	Funds 2004/2005	Funds Listed draft 2005/2006
1	Anzac Rd - Traffic calming	\$15,000	nil

COMMENTS:

The Town receives many requests for Traffic Management from time to time. Most requests received are addressed by the officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. Other matters are referred to the Police Services for enforcement of the legal speed limit.

Following discussion at the LATM Advisory Group meeting, it is recommended that the Council approves, in principle, the proposal as outlined on attached Plan No. 2349-CP-1, consults with residents in Anzac Road giving them 21 days to provide a response, and receives a further report on the matter at the conclusion of the consultation period should any adverse comments be received.

10.3.1 Financial Statements as at 31 May 2005

Ward:	Both	Date:	20 June 2005
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officer(s):	Bee Choo Tan		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Reports for the month ended 31 May 2005 as shown in Appendix 10.3.1.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Maier, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

To provide the Financial Reports of the Town of Vincent for the period ending 31 May 2005.

BACKGROUND:

The Local Government Act and Local Government (Financial Management) Regulations 1996 require monthly reports and quarterly financial reports to be submitted to Council. The Financial Statements attached are for the month ended 31 May 2005.

DETAILS:

The Financial Statements comprise:

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

Operating Statement and Detailed Summary of Programmes/Activities

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

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

Operating Revenue

Operating revenue is currently 101 % of the annual Budget estimate

General Purpose Funding (Page 1)

General Purpose Funding is showing 99 % of the budget levied to date. This is due to rates being levied for the financial year; the rates revenue represents 99 % of the budgeted amount for the rates income.

Governance (Page 2)

Governance is showing 222 % of the budget received to date; this is due to advertising rebates, vehicle contributions received and sale of electoral rolls.

Law Order & Public Safety (Page 3)

Revenue is showing a favourable variance of 118 % due to recoup in advance of employee cost that is on secondment and grants received.

Health (Page 4)

Health is showing 104 %, this is due to 297 Health Licences being issued for Lodging Houses, Eating Houses and Alfresco dining.

Community Amenities (Page 6)

Community Amenities is 110 % of the budget, this is as a result of 604 planning applications have been processed year to date.

Recreation & Culture (Page 9)

Recreation and Culture is 95 % of their revenue budget. Beatty Park Leisure Centre revenue is 71 % of the total Recreation and Culture budget and tracking along with the year to date budget.

Economic Services (Page 12)

Economic Services is 103 % of budget which is the 428 building licences issued to the month of May.

Operating Expenditure

Operating expenditure for the month of May is under budget at 91%

Capital Expenditure Summary (Pages 18 to 26)

The Capital Expenditure summary details projects included in the 2004/05 budget and reports the original budget and compares actual expenditure to date against these. Capital works show total expenditure for May amount of \$7,019,680 which is 57% of the budget.

	Budget	Actual to Date	%
Furniture & Equipment	131,310	115,477	73%
Plant & Equipment	1,249,972	509,913	41%
Land & Building	3,555,393	3,493,293	93%
Infrastructure	6,997,900	2,900,997	41%
Total	11,934,575	7,019,680	57%

Statement of Financial Position and Changes in Equity (Pages 27 & 28)

The statement shows the current assets of \$13,512,377 less current liabilities of \$3,083,392 for a current position of \$10,428,985. The total non current assets amount to \$115,670,808 less non current liabilities of \$10,855,210 for the total net assets of \$115,244,583.

Restricted Cash Reserves (Page 29)

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

Debtors and Rates Financial Summary

General Debtors (Page 30)

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 \$999,643 are outstanding at the end of May. Of the total debt \$654,252 (65%) relates to debts outstanding for over 60 days. The majority of the debt is an amount owing by the Department of Sport & Recreation of \$475,661 which will be reimbursed by the Australian Taxation Office. The Debtor Report identifies significant balances that are well overdue.

Finance has been following up with debt recovery by issuing reminder when it is overdue.

Rate Debtors (Page 31)

The notices for rates and charges levied for 2004/05 were issued on the 3 August 2004.

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

First Instalment	7 October 2004
Second Instalment	8 November 2004
Third Instalment	6 January 2005
Fourth Instalment	8 March 2005

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

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

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

Rates outstanding are \$390,389 which represents 2.8 % of the outstanding collectable income.

Beatty Park – Financial Position Report (Page 32)

As at 31 May 2005 the operating deficit for the Centre was \$563,993 in comparison to the budgeted annual deficit of \$616,852.

The cash position showed a current cash deficit of \$189,094 in comparison to the annual budget estimate of a cash deficit of \$161,888. The cash position is calculated by adding back depreciation to the operating position.

10.3.2 Investment Report as at 31 May 2005

Ward:	Both	Date:	20 June 2005
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	M Howard-Bath		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Investment Report for the month ended 31 May 2005 as detailed in Appendix 10.3.2.

Mayor Catania advised that he and Cr Messina had declared a financial interest in this matter and departed the Chamber at 10.03pm.

Deputy Mayor, Cr Farrell, assumed the Chair.

COUNCIL DECISION ITEM 10.3.2

Moved Cr Ker, Seconded Cr Maier

That the recommendation be adopted.

CARRIED (6-0)

(Cr Doran-Wu was an apology. Mayor Catania and Cr Messina were absent from the Chamber and did not vote.)

PURPOSE OF REPORT:

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

BACKGROUND:

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms. Details are attached in Appendix 10.3.2.

Council's Investment Portfolio is spread across several Financial Institutions in accordance with Policy Number 1.3.8.

DETAILS:

Total Investments for the period ended 31 May 2005 were \$9,301,267 compared with \$9,800,776 at 30 April 2005. At 31 May 2004, \$9,951,284 was invested.

Total accrued interest earned on Investments as at 31 May 2005:

	Budget	Actual	%
	\$	\$	
Municipal	300,000	317,155	105.72
Reserve	297,300	301,979	101.57

COMMENT:

As the Town performs only a custodial role in respect of monies held in Trust Fund Investments these monies cannot be used for Council purposes, and are excluded from the Financial Statements.

10.3.5 Review of the 2004/2005 Annual Budget

Ward:	Both	Date:	22 June 2005
Precinct:	All	File Ref:	FIN0025
Attachments:	-		
Reporting Officer(s):	Bee Choo Tan, M Rootsey		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES BY ABSOLUTE MAJORITY the following adjustments to the 2004/2005 Annual Budget:

<i>Item</i>	<i>Budget Adjustment</i>	<i>Funding Source</i>	<i>Amount Required</i>	<i>Net Impact</i>
<i>Perth Oval Stage 2 Development</i>	<i>\$500,000</i>	<ul style="list-style-type: none"> • <i>Department of Sport and Recreation</i> 	<i>\$500,000</i>	<i>0</i>
<i>Green Street Drainage Improvement</i>	<i>\$75,053</i>	<ul style="list-style-type: none"> • <i>Pier Street Drainage</i> • <i>EPRA Contribution</i> • <i>Miscellaneous drainage works</i> 	<i>\$11,200</i> <i>\$36,000</i> <i>\$9,053</i>	<i>0</i>
<i>Loftus Recreation Centre Equipment</i>	<i>\$2,150</i>	<ul style="list-style-type: none"> • <i>Loftus Recreation Centre Reserve Fund</i> 	<i>\$2,150</i>	<i>0</i>
<i>Beatty Park Leisure Centre Equipment</i>	<i>\$1,000</i>	<ul style="list-style-type: none"> • <i>Supplier Contributions</i> 	<i>\$1,000</i>	<i>0</i>

COUNCIL DECISION ITEM 10.3.5

Moved Cr Lake, Seconded Cr Torre

That the recommendation be adopted.

Cr Messina returned to the Chamber at 10.12pm.

CARRIED (7-0)

(Cr Doran-Wu was an apology. Mayor Catania absent from the Chamber and did not vote.)

PURPOSE OF REPORT:

To report on items that require adjustments to the 2004/2005 Annual Budget.

BACKGROUND:

As part of its management procedures, the Town reviews its Budget on a quarterly basis to make adjustments for any major variations or additional requirements to the adopted Budget.

DETAILS:

A review has been undertaken as at 30 April 2005 to adjust for any major variances or additional items required and the inclusion of previous decisions of the Council.

CAPITAL ACCOUNTS

Land and Building

Perth Oval Redevelopment Stage 2 - \$500,000

The Town has received the sum of \$500,000 from the Department of Sport and Recreation for the provision of the commencement of preparatory work on the Stage 2 of this project.

Funding Implication:

No impact on the financial position as additional expenditure is funded by DSR.

Infrastructure

Green Street Drainage Improvement - \$75,053

At the Ordinary Meeting of Council on 26 April 2005 Item 10.2.1 the Council approved the reallocation of funds for this project which enabled the Town to meet its share of the increased estimated costs of the project.

Funding Implication:

No impact on the financial position of the Town.

Furniture and Fittings

Loftus Recreation Centre - Office Equipment - \$2,150

A computer and modem were required to be replaced in an emergency as the original totally malfunctioned. An additional amplifier was required to be replaced so that recreation classes could continue to function.

Funding Implication:

No impact on the financial position as the additional funding required will be funded from the Loftus Recreation Reserve Fund.

Beatty Park - Fridge - \$1,000

A fridge has been provided for the Beatty park Café by a café supplier which the Town purchased and has been reimbursed by the supplier.

Funding Implication:

No impact on the financial position the amount is being paid from external contributions.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

Strategic Plan Amended 2005-2010

Key Result Area 4 – Governance and Management

“4.1 a) Continue to develop a medium to long term Strategic Vision and Financial Plan to ensure the long term financial viability of the Town.

4.5 e) Adopt “Best Practice” to manage the financial resources and assets of the Town.”

FINANCIAL/BUDGET IMPLICATIONS:

At the end of this review there is no change in the financial position.

COMMENTS:

This is the final review of the Budget for the financial year.

10.4.1 Council Policy Relating to Community Consultation Policy - Amendments

Ward:	Both Wards	Date:	22 June 2005
Precinct:	All Precincts	File Ref:	PLA0116
Attachments:	001 002		
Reporting Officer(s):	D Abel		
Checked/Endorsed by:	R Boardman, John Giorgi	Amended by:	-

FFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the Draft Amended Policy No. 4.1.5 relating to "Community Consultation", and the Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters (which both include the Draft Community Consultation Charter - Planning, Building and Heritage Matters), as shown in Appendix 10.4.1; and*
- (ii) *AUTHORISES the Chief Executive Officer to:*
 - (a) *advertise the Draft Amended Policy No. 4.1.5 relating to "Community Consultation" for a period of twenty one (21) days, seeking public comment;*
 - (b) *submit a further report to the Council if any public submissions are received; and*
 - (c) *include the Draft Amended Policy No. 4.1.5 relating to "Community Consultation" in the Policy Manual if no public submissions are received.*

COUNCIL DECISION ITEM 10.4.1

Moved Cr Chester, Seconded Cr Torre

That the recommendation be adopted.

Moved Cr Messina, Seconded Cr Chester

That this item be DEFERRED to the next meeting due to the lateness of the hour.

CARRIED (7-0)

(Cr Doran-Wu was an apology. Mayor Catania absent from the Chamber and did not vote.)

Mayor Catania returned to the Chamber at 10.30pm and assumed the Chair.

PURPOSE OF REPORT:

The purpose of this report is to provide details and obtain the Council's approval of the Draft Amended Policy No. 4.1.5 relating to "Community Consultation" and the Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters (, which both include the Draft Community Consultation Charter - Planning, Building and Heritage Matters).

BACKGROUND:

The Council at its Ordinary Meeting held on 23 March 2004, considered this matter and resolved (inter alia) as follows:

"That, to assist in the review of the Town's Community Consultation Policy, the Council APPROVES of the following;

- (i) *a Community workshop to be held in mid to late May 2004;*

...; and

- (vi) *following the workshop, the Town's Officers to prepare a revised draft policy and report back to Council by the first meeting in August 2004."*

The Council at its Ordinary Meeting held on 10 August 2004 resolved as follows:

"That the Council;

- (i) *RECEIVES the Interim Report as at 4 August 2004 relating to the Community Consultation Workshop held on 20 May 2004 and review of Policy No 4.1.5 - "Community Consultation";*

- (ii) *APPROVES IN PRINCIPLE the changes to Policy No 4.1.5 - "Community Consultation" as detailed in this Interim Report under the categories of "supported" and "supported in part" by the Chief Executive Officer;*

- (iii) *NOTES that;*

(a) *the Policy relating to "Community Consultation" (mainly part 3 - Town Planning, Development and Heritage Matters) is being completely reviewed taking cognisance of the matters raised at the community workshop held on 20 May 2004 and the comments contained in this Interim Report; and*

(b) *the draft amended Policy relating to "Community Consultation" will be presented at the Elected Members Forum to be held on 21 September 2004; and*

(c) *a further report and a draft amended Policy relating to "Community Consultation" will be submitted to the Ordinary Meeting of Council to be held on 28 September 2004."*

The Draft Amended Community Consultation Policy was discussed at the Elected Member Forum held on 21 September 2004.

The Council at its Ordinary Meeting held on 28 September 2004 resolved as follows:

"That the Council;

- (i) *RECEIVES the Interim Report as at 22 September 2004 relating to the Draft Community Consultation Policy No 4.1.5; and*

- (ii) *NOTES that further report and a draft amended Policy relating to "Community Consultation" together with the Town of Vincent Community Consultation Submission Guidelines - Planning, Building and Heritage Matters will be submitted to the Ordinary Meeting of Council to be held on 26 October 2004; and*

- (iii) *AUTHORISES the Chief Executive Officer to include a charter under Town Planning, Development and Heritage Matters, that outlines consultees key principles in*

preparation of their submissions, including the responsibilities of the Town's Officers and Elected Members in processing and considering their submissions."

The Council at its Ordinary Meeting held on 26 October 2004 resolved as follows:

"That the Council;

- (i) RECEIVES the Interim Report as at 19 October 2004 relating to the Draft Amended Community Consultation Policy No. 4.1.5; and*
- (ii) NOTES that a further report, Draft Amended Policy relating to "Community Consultation", Draft Community Consultation Charter - Planning, Building and Heritage Matters, Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters, and Draft Community Consultation Submission Form - Planning, Building and Heritage Matters, will be submitted to an Ordinary Meeting of Council to be held in November 2004."*

The Council at its Ordinary Meeting held on 23 November 2004 resolved as follows:

"That the Council;

- (i) RECEIVES the Interim Report as at 23 November 2004 relating to the Draft Amended Community Consultation Policy No. 4.1.5; and*
- (ii) NOTES that a further report, Draft Amended Policy relating to "Community Consultation", Draft Community Consultation Charter - Planning, Building and Heritage Matters, Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters, and Draft Community Consultation Submission Form - Planning, Building and Heritage Matters, will be submitted to an Ordinary Meeting of Council to be held in February 2005."*

The Council at its Ordinary Meeting held on 22 February 2005 resolved as follows:

"That the Council;

- (i) RECEIVES the Interim Report as at 22 February 2005 relating to the Draft Amended Community Consultation Policy No. 4.1.5; and*
- (ii) NOTES that a further report, Draft Amended Policy relating to "Community Consultation", Draft Community Consultation Charter - Planning, Building and Heritage Matters, Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters, and Draft Community Consultation Submission Form - Planning, Building and Heritage Matters, will be submitted to an Ordinary Meeting of Council by no later than April 2005."*

The Council at its Ordinary Meeting held on 26 April 2005 resolved as follows:

"That the Council;

- (i) RECEIVES the Progress Report No. 3 relating to the Draft Amended Community Consultation Policy No. 4.1.5; and*
- (ii) NOTES that a further report, Draft Amended Policy relating to "Community Consultation", Draft Community Consultation Charter - Planning, Building and Heritage Matters, Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters, and Draft Community Consultation Submission Form - Planning, Building and Heritage Matters, will be submitted to an Ordinary Meeting of Council by no later than June 2005."*

DETAILS:

The Draft Amended Policy No. 4.1.5 relating to "Community Consultation", and the Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters (, which both include the Draft Community Consultation Charter - Planning, Building and Heritage Matters), are included as an Appendix to this report.

These documents were also circulated to Elected Members with accompanying memorandum dated 20 June 2005; however, the Draft Amended Policy has been further amended on page 11 - Principal Activities Plan, page 15 - Parking Restrictions, and page 61 - Variations to Policy.

The Interim Report (Item 10.4.1) relating to the Draft Amended Community Consultation Policy to the 28 September 2004 Ordinary Meeting of Council detailed the significant changes to the existing Community Consultation Policy, and addressed the matters raised at the 21 September 2004 Elected Member Forum.

The Draft Amended Community Consultation Policy and the Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters, have also been reviewed and amended to achieve the indicative development application processing time targets set as part of the re-engineering of the development approval process.

CONSULTATION/ADVERTISING:

The Draft Amended Community Consultation Policy once endorsed by the Council will be formally advertised for public comment.

LEGAL/POLICY:

Policies are not legally enforceable; they provide guidance to the Town's Administration and Elected Members when considering various matters.

STRATEGIC IMPLICATIONS:

The Community Consultation Policy is in keeping with the Town's Strategic Plan 2005-2010: Key Result Area 4.2 *'Deliver services, effective communication and public relations in ways that accord with the expectations of the community, whilst maintaining statutory compliance and introduce processes to ensure continuous improvement in the service delivery and management of the Town'*.

FINANCIAL/BUDGET IMPLICATIONS:

No additional funds have been necessary as all work has been carried out *"in-house"*, using existing resources.

COMMENTS:

Several aspects relating to Town Planning, Development and Heritage Matters required further investigation as a result of the 21 September 2004 Elected Member Forum and these are addressed as follows:

Community Consultation Submission Guidelines

Community Consultation Submission Guidelines that assists and guides the community in making effective submissions have been developed and is included as an Appendix to this report.

Community Consultation Charter

A Community Consultation Charter, which contains key principles in the preparation of submissions, typical comments issues and typical comments examples, and key responsibilities of the Town's Elected Members and Employees in processing and considering submissions, has been developed. The Charter is incorporated into both the Draft Amended Community Consultation Policy and the Draft Community Consultation Submission Guidelines.

Comment Period – Holiday Period

A survey of eight (8) other metropolitan local governments revealed that all of these local governments include weekends, while most of these local governments also include public holidays, in the comment period. Two (2) of the surveyed local governments have a comment period of 14 days, while the remaining six (6) local governments have a comment period of 21 days. Nevertheless, the extent of consultation undertaken by those local governments appears to be substantially less than by the Town of Vincent.

In light of the above, the Draft Amended Community Consultation Policy states as follows:

<i>Holiday Period</i>	<i>Comment Period</i>
<i>Weekends</i>	<i>Comment period excludes <u>includes</u> weekend days</i>
<i>Public Holidays</i>	<i>Comment period excludes public holidays</i>
<i>Easter Festive Period</i>	<i>Comment period excludes the weekend days and public holidays during this period</i>
<i>Christmas-New Year Festive Period: 18 December to 8 January, inclusive</i>	<i>Where Advertising has commenced but not completed prior to this period, the portion (days) of the comment period that falls within this period to be added from 9 January, excluding weekend days and public holidays</i>
	<i>No advertising is to commence in this period</i>

Demolition Applications

Currently no consultation is required for the demolition of existing buildings, unless the place is listed on the Town's Municipal Heritage Inventory where consultation is via a sign on-site. The Draft Amended Community Consultation Policy prescribes demolition of an existing building to be subject to consultation with the owners and occupiers of several adjacent properties via written notification. Consultation will also be via a sign on site for places listed on the Town's Municipal Heritage Inventory and State Register of Heritage Places. It is recommended that this requirement be reviewed after a period of six (6) months.

Provision and Availability of Plans

The Draft Amended Community Consultation Policy states that plans and documentation are to be:

- (a) displayed in the Town's Administration and Civic Centre and Library foyers, during the comment period. This is to be accompanied by the relevant Town of Vincent Community Consultation Submission Form - Planning, Building and Heritage Matters and notice;

- (b) placed on the Town's internet website (in PDF format - to prevent unauthorised manipulation of the plans and so as not to breach copyright requirements; and where the consent and indemnity form signed by the applicant and/or owner has been received);
- (c) addressed in all written notification letters where comments will be included advising of the availability of the plans; and
- (d) provided in hard copy to persons who are unable to access plans via the Town's internet website (where the consent and indemnity form signed by the applicant and/or owner has been received).

This procedure will provide persons with the ability to view plans and make an informed submission. It is recommended that hard copies of all plans not be provided to each person receiving a written notification letter, due to the significant resources which will be required (i.e. additional staff), cost of paper and postage and impact on processing time. Furthermore, promotion of the Town's web page is encouraged as a means of making information available.

It is considered that this amended procedure will provide a balanced position of making information readily available, whilst at the same time achieving this within the Town's current staffing levels and costs and processing of the application within a reasonable time frame.

Notwithstanding the above, assistance will be provided by the Town's Customer Service Centre Officers, to persons who do not have internet access, the ability to use the internet or difficulties with the English language.

Conclusion

In light of the above, it is recommended that the Council approves the Draft Amended Community Consultation Policy and the Draft Community Consultation Submission Guidelines - Planning, Building and Heritage Matters (which both include the Draft Community Consultation Charter - Planning, Building and Heritage Matters), and progresses these documents in accordance with the Officer Recommendation.

10.4.2 Council Policy Relating to Dealings with the Town of Vincent by Elected Members and Employees and their Closely Associated Persons

Ward:	-	Date:	21 June 2005
Precinct:	-	File Ref:	ORG0023
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:		Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the Town's proposed Draft Policy relating to "Dealings with the Town of Vincent by Elected Members and Employees (and their closely associated persons) - including the Awarding of contracts to business entities closely associated with Elected Members and Employees", as shown in Appendix 10.4.2; and*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to adopt Draft Policy No 4.1.26 - relating to "Dealings with the Town of Vincent by Elected Members and Employees (and their closely associated persons) - including the Awarding of contracts to business entities closely associated with Elected Members and Employees"; and*
- (iii) *AUTHORISES the Chief Executive Officer to:*
 - (a) *advertise the proposed policy amendments for a period of twenty one (21) days, seeking public comment;*
 - (b) *report back to the Council with any public comments received; and*
 - (c) *include the policy in the Policy Manual if no public submissions are received.*

COUNCIL DECISION ITEM 10.4.2

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY (8-0)

(Cr Doran-Wu was an apology.)

PURPOSE OF REPORT:

The purpose of this report is for the Council to consider and adopt a draft policy relating to dealings with the Town of Vincent by Elected Members and Employees (and their closely associated persons) - including the Awarding of contracts to business entities closely associated with Elected Members and Employees.

BACKGROUND:

Recent public hearings by the Crime and Corruption Commission into the awarding of tenders and contracts at the City of Bayswater have highlighted a number of matters, including where Elected Members have had commercial dealings with the local government.

In order to improve our governance procedures and to ensure that there is no ambiguity, a proposed policy is recommended for consideration and adoption by the Council. The proposed policy has been based on a policy adopted by the City of Bayswater and amended to suit the Town's needs.

The Draft Policy key requirements include the following;

1. All Elected Members and employees and their closely associated persons wishing to do business with the Town of Vincent must strictly follow this Policy.
2. All Elected Members and employees must register their intention with the Chief Executive Officer if they intend to conduct business/commercial dealings with the Town of Vincent.
3. All registrations of interest will be recorded in a Register, which will be maintained by the Chief Executive Officer and will be available for public inspection.
4. All Elected Members and employees shall only deal with the Chief Executive Officer and not have any direct contact with other Town employees.
5. Strict recording procedures of any such dealings will be reported to Council on a quarterly basis and included in the Annual Report.
6. The Chief Executive Officer, or their closely associated persons, will be prohibited from conducting business with the Town.
7. The Town's tender and quotations documentation will require Elected Members and employees, and their closely associated persons, to disclose their association with the Town, when tendering or submitting a quotation.

Since the formation of the Town in 1994, the Chief Executive Officer can only recall three occasions where former Elected Members provided services to the Town. These occasions occurred approximately 7 to 8 years ago and were "one-off" occasions (two involving provision of catering to the Town's functions and one involved a former Councillor working for a research organisation).

The Chief Executive Officer is not aware of any employees or their closely associated persons conducting business with the Town of Vincent.

The Town's Auditors have recently carried out an internal audit of the Town's tenders and quotations and have expressed satisfaction with the way these have been dealt with and the current procedures in place. (A full report will be submitted to the next Audit Committee.)

CONSULTATION/ADVERTISING:

The Draft Policy will be advertised for a period of twenty-one (21) days, in accordance with the Town's Community Consultation Policy.

LEGAL/POLICY:

The Local Government (Functions and General) Regulations 1996 prescribe the procedures for tenders relating to the provision of goods or services. These Regulations do not however prescribe procedures to control Elected Members and employees, or their closely associated persons, dealing with a local government. The proposed Draft Policy will prescribe such procedures and will ensure that dealings will be open, transparent and accountable.

It is proposed to amend the Council's Code of Conduct to ensure compliance with this proposed Policy. (As required by the Local Government Act, the Code of Conduct is currently being reviewed and will be submitted to Council during July 2005.)

The Town's employment policies and contracts of employment require employees to obtain the Chief Executive Officer's prior permission before engaging in private work. To date no applications have been received for such approval.

STRATEGIC IMPLICATIONS:

This Draft Policy is in keeping with the Town's Strategic Plan 2005-2010, Key Result Area 4.3(a) - *"Develop guidelines and policies to facilitate the interaction of all parties, which clearly identifies the roles and relationships between the Elected Members and the Town's administration and promotes professional and workable relationships between Elected Members"*.

FINANCIAL/BUDGET IMPLICATIONS:

N/A.

COMMENTS:

The proposed procedures will provide for openness, transparency and accountability for these matters and will strengthen the Town's governance requirements.

10.4.3 Information Bulletin

Ward:	-	Date:	22 June 2005
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	S Garreffa		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 28 June 2005 as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Chester, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued in relation to IB03 State Administrative Tribunal – 47 Mary Street.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

DETAILS:

The items included in the Information Bulletin dated 28 June 2005 are as follows:

ITEM	DESCRIPTION
IB01	Vincent Accord - Information Report
IB02	State Administrative Tribunal - No. 141 (Lots 39 & 40) Scarborough Beach Road, Mt Hawthorn - Reasons for Decision and Copy of Order
IB03	State Administrative Tribunal - No. 47 (Lot 56) Mary Street, Highgate - Reasons for Decision and Copy of Order
IB04	Email from Justice Department - List of Town Planning Appeal Tribunal Decisions from 1975 to 2004
IB05	Letter from Department of Local Government and Regional Development - 2004 Minister's Financial Management Awards
IB06	Letter from Main Roads Western Australia – Submission for Freeway Noise Barrier

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

12.1 WALGA Nominations – Advisory Committee for the Purity of Water; FESA ESL Bush Fire Brigade & State Emergency Services Capital Grants Committees; FESA Bush Fire Service & Fire and Rescue Service Consultative Committee; Heritage Council of WA; Metropolitan Emergency Management Executive Group; Visitor Centre Association of WA Executive Committee; Visitor Servicing Study Implementation Group

Ward:	-	Date:	21 June 2005
Precinct:	-	File Ref:	ORG0045
Attachments:	001		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

RECOMMENDATION:

That;

- (i) ----- *be nominated as WALGA Member - Advisory Committee for the Purity of Water (Metropolitan Member);*
- (ii) ----- *be nominated as WALGA Member – FESA ESL Bush Fire Brigade Capital Grants Committee and FESA ESL State Emergency Services Capital Grants Committees (Members (3), Panel of 9 names), (Ministerial Appointments);*
- (iii) ----- *be nominated as WALGA Member – FESA Bush Fire Service (BFS) Consultative Committee and FESA Fire and Rescue Service Consultative Committee (Panel of 3 names), (Ministerial Appointments);*
- (iv) ----- *be nominated as WALGA Member – Heritage Council of Western Australia (Panel of 3 names) (Approval by Minister);*
- (v) ----- *be nominated as WALGA Member – Metropolitan Emergency Management Executive Group (Metropolitan Serving Officer);*
- (vi) ----- *be nominated as WALGA Member – Visitor Centre Association of WA Executive Committee; and*
- (vii) ----- *be nominated as WALGA Member – Visitor Servicing Study Implementation Group.*

BACKGROUND:

Please see Appendix 12.1 for details.

N.B.:

NOMINATIONS CLOSE COB THURSDAY 14 JULY 2005.

COUNCIL DECISION ITEM 12.1

Moved Cr Maier, Seconded Cr Farrell

That the Executive Manager, Environmental and Development Services, Rob Boardman, be nominated as a WALGA representative for the Heritage Council of WA.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

At 10.17pm it was,

Moved Cr Torre, Seconded Cr Messina

That the Council proceed behind closed doors to consider the Confidential Items as they contain legal and commercially sensitive information.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

10.4.4 CONFIDENTIAL REPORT - Unit 2 / No. 643 (Lot 1, Strata Lot No. 2) Newcastle Street, Leederville - Proposed Change of Use from Office Building to Consulting Rooms and Ancillary and Incidental Shop and Office - State Administrative Tribunal Directions Hearing

Ward:	South	Date:	21 June 2005
Precinct:	Oxford Centre; P4	File Ref:	PRO2791; 00/33/2675
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council SUPPORTS as part of the State Administrative Tribunal Appeal No. 419 of 2005, the replacement of condition (vii) (12 months approval period) with the following conditions in relation to the approval that was granted by the Council on 22 March 2005 and issued by the Town on 7 April 2005 for proposed Change of Use from Office Building to Consulting Rooms and Ancillary and Incidental Shop and Office, at Unit 2/No. 643 (Lot 1, Strata Lot No. 2) Newcastle Street, Leederville, and as shown on amended plans stamp-dated 11 March 2005, subject to:*

"(vii) this approval for consulting rooms is for optometric services only, and any change of use from consulting rooms (optometric services) shall require Planning Approval to be applied to and obtained from the Town prior to commencement of such use; and

(viii) no massage activity of a non-medical nature shall occur at the premises and no bedding shall be provided at the premises"; and

- (ii) *the Chief Executive Officer be authorised to make the information available to the public, after it has been determined and finalised by the State Administrative Tribunal.*

Moved Cr Maier, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Moved Cr Farrell, Seconded Cr Chester

That clause (i) "(viii)" be amended to read as follows:

- "(i) (viii) all activities at the premises shall be in compliance with the Town's Policy requirements relating to consulting rooms, and no ~~massage~~ activity of a non-medical nature, such as prostitution, brothel business, agency business associated with prostitution, escort agency business, massage business and the like, shall occur at the premises ~~and no bedding shall be provided at the premises;~~" and*

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Doran-Wu was an apology.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Doran-Wu was an apology.)

COUNCIL DECISION ITEM 10.4.4

That;

- (i) in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council SUPPORTS as part of the State Administrative Tribunal Appeal No. 419 of 2005, the replacement of condition (vii) (12 months approval period) with the following conditions in relation to the approval that was granted by the Council on 22 March 2005 and issued by the Town on 7 April 2005 for proposed Change of Use from Office Building to Consulting Rooms and Ancillary and Incidental Shop and Office, at Unit 2/No. 643 (Lot 1, Strata Lot No. 2) Newcastle Street, Leederville, and as shown on amended plans stamp-dated 11 March 2005, subject to:*

"(vii) this approval for consulting rooms is for optometric services only, and any change of use from consulting rooms (optometric services) shall require Planning Approval to be applied to and obtained from the Town prior to commencement of such use; and

(viii) all activities at the premises shall be in compliance with the Town's Policy requirements relating to consulting rooms, and no activity of a non-medical nature, such as prostitution, brothel business, agency business associated with prostitution, escort agency business, massage business and the like, shall occur at the premises;" and

- (ii) the Chief Executive Officer be authorised to make the information available to the public, after it has been determined and finalised by the State Administrative Tribunal.*

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

Landowner:	EA Wason & S Leslie
Applicant:	SDA Designs
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Office Building
Use Class:	Consulting Rooms, Office Building and Shop
Use Classification:	"AA", "P" and "P"
Lot Area:	1994 square metres
Access to Right of Way	N/A

BACKGROUND:

22 March 2005 Council at its Ordinary Meeting resolved to approve proposed change of use from office building to consulting rooms and ancillary and incidental shop and office, subject to the following conditions:

- "(i) compliance with all relevant Environmental Health, Engineering and Building requirements, including provisions for access, car parking and toilet facilities for people with disabilities;*
- (ii) the hours of operation shall be limited to the following times: 8am to 5pm Monday to Friday, inclusive;*
- (iii) a maximum of one (1) consulting room and a maximum of one (1) consultant/practitioner are permitted to operate from the property at any one time;*
- (iv) the windows, doors and adjacent floor area facing Newcastle Street shall maintain an active and interactive frontage to Newcastle Street;*
- (v) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) the maximum gross floor area for the office and retail components shall be limited to 53.66 square metres and 52.64 square metres, respectively, unless adequate car parking is provided for the changes in floor space area; and*
- (vii) this approval for a consulting room (Optometrist) is for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the Town prior to continuation of the use;*

to the satisfaction of the Chief Executive Officer."

15 April 2005 Stephen Leslie and Elizabeth Wason lodged an application for review with the State Administrative Tribunal.

21 April 2005 Notice of Hearing issued to the Town.

8 June 2005 Directions Hearing held at the State Administrative Tribunal.

DETAILS:

The owners of Unit 2/No. 643 (Lot 1, Strata Lot No. 2) Newcastle Street, Leederville lodged an appeal with the State Administrative Tribunal to delete condition (vii) of the approval granted by the Council at its Ordinary Meeting held on 22 March 2005, which states "*this approval for a consulting room (Optometrist) is for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the Town prior to continuation of the use*".

The proposed consulting rooms and ancillary and incidental shop and office at Unit 2/No. 643 Newcastle Street, Leederville mainly caters for 'specialist' optometry and referrals from other professions.

Additional documentation has been submitted demonstrating details of 'Eyes on Oxford'.

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No consultation was required as this matter relates to a review by SAT of the Planning Approval for the subject change of use from office building to consulting rooms and ancillary and incidental shop and office, and is being referred to Council for determination.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

In light of additional documentation provided demonstrating the professional nature of the optometrist at Unit 2/No. 643 (Lot 1, Strata Lot No. 2) Newcastle Street, Leederville it is recommended that condition (vii) of the resolution of Council at its Ordinary Meeting held on 22 March 2005 be replaced with conditions (vii) and (viii) of the Officer Recommendation. It is considered that these conditions are satisfactory in terms of preventing the potential for the site to be used for massage purposes and ensures that Unit 2/No. 643 (Lot 1, Strata Lot No. 2) Newcastle Street, Leederville continues being used as an optometrist until further Planning Approval is granted for an alternative development.

The other matters relating to the development was addressed in Item 10.1.14 to the Ordinary Meeting of Council held on 22 March 2005.

13.1 URGENT BUSINESS: Confidential Report - Leederville Business District - Approval of Quotation for Architectural Services and Engagement of Other Consultants

Ward:	South	Date:	28 June 2005
Precinct:	Oxford Centre Precinct, P4/ Leederville Precinct, P3	File Ref:	PLA0153
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the quotation received from Jones Coulter Young, Architects and Urban Planners, for preliminary architectural services for the Leederville Business District at a cost of \$11,150 (plus GST);*
- (ii) *AUTHORISES the Chief Executive Officer to engage other essential consultants (should the need arise) concerning the planning of The Avenue and Framecourt Carparks, in particular, the re-routing of the main stormwater drain and proposed new Water Corporation sewer;*
- (iii) *NOTES that this work will contain commercial sensitive information and is therefore to remain confidential until approval has been granted to make it public knowledge; and*
- (iv) *NOTES that a further report concerning this matter will be submitted to the Ordinary Meeting of Council to be held on 12 July 2005.*

Moved Cr Maier, Seconded Cr Torre

That the recommendation be adopted.

At 10.45pm it was,

Moved Cr Maier, Seconded Cr Messina

That the meeting be extended to consider the remaining item.

CARRIED (8-0)

(Cr Doran-Wu was an apology.)

Cr Torre departed the Chamber at 10.45pm.

Debate ensued.

Cr Torre returned to the Chamber at 10.48pm.

MOTION CARRIED (8-0)

(Cr Doran-Wu was an apology.)

At 10.50pm, it was,

Moved Cr Torre, Seconded Cr Lake

That the meeting be resumed open to the public.

CARRIED (8-0)

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

PURPOSE OF THE REPORT:

The purpose of this report is to update the Council on the recent discussions that the Town has held with the Water Corporation concerning the proposed new sewer to be constructed in the Leederville Business District, approve of a quotation to engage an architect to carry out preliminary work and to authorise the Chief Executive Officer to engage other essential consultants for this matter, should the need arise.

BACKGROUND:

At the Special Meeting of Council held on 2 March 2005, the Council considered the matter of its landholdings in the Leederville Business District and resolved as follows;

"That the Council;

- (i) RECEIVES the report relating to the investigation of landholdings and future redevelopment concept plans for the Leederville Business District;*
- (ii) SUPPORTS IN PRINCIPLE the concept plan to redevelop the Council's land subject to a further report being submitted detailing the financial, legal, economic, land use, planning and architectural aspects;*
- (iii) SUPPORTS IN PRINCIPLE the concept of a "disposal"/acquisition of land with GNTM Pty Ltd, subject to;*
 - (a) a formal proposal being lodged by GNTM Pty Ltd with the Council, indicating the exact details of the land to be exchanged and including a sworn valuation;*
 - (b) a further report being submitted to the Council on the legal and financial aspects and cost implications of the option;*
 - (c) the impact of any land transaction on the future design, planning or land use implications;*
 - (d) the Town seeking advice on the lot shape and configuration that will best suit the Town's needs and subsequent to that, adjustments being made to the lot boundaries shown on Drawing 2332-CP-1; and*
 - (e) negotiations of a Memorandum of Agreement detailing conditions of purchase or acquisition;*
- (iv) ADVISES GNTM Pty Ltd that;*
 - (a) support of the "land transaction proposal" should not be construed as support of any redevelopment proposal for their subject property at Nos. 103-105 (Lot 100) Oxford Street, Leederville; and*

- (b) *any redevelopment on their site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies, Oxford Centre Study and Leederville Masterplan;*
- (v) *EVALUATES the Leederville Masterplan and the Economic Development Strategy prior to authorising the CEO to engage the necessary consultants to further investigate the project options, including;*
 - (a) *obtaining the necessary financial, valuation, development, project management, architectural and legal advice;*
 - (b) *investigating the benefits and financial implications for the most appropriate development model for the proposed development;*
 - (c) *refining the redevelopment concept plans; and*
 - (d) *entering into discussion with the Water Corporation concerning possible development options over the drainage reserve and other Water Corporation landholdings;*
- (vi) *DEFERS any further work on The Avenue and Frame Court Carparks until a final decision is made concerning the redevelopment of this land and the \$90,000 (for upgrade of The Avenue Carpark) in the 2004/05 Budget be carried forward to the 2005/06 Budget;*
- (vii) *NOT dispose of Lot 6 (No. 295) and Lot 7 (No. 291) Vincent Street, until further investigations have been carried out;*
- (viii) *APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$35,000 from the "Water Corporation Reserve Upgrade" Cost Centre to "Oxford Centre Redevelopment Consultancies";*
- (ix) *NOTES that this report contains commercially sensitive information and therefore is to remain confidential;*
- (x) *AUTHORISES the Mayor and CEO to meet with the Minister for Planning and Infrastructure and the Director General of the Department of Planning and Infrastructure as soon as is practicable, to discuss the strategic nature and benefits to the state of the project and implementation models to realise the project; and*
- (xi) *RESERVES the right to offer development bonuses for development of the Perth Transit Authority reserve to the south of the Kailis land holding on Oxford Street."*

At the Ordinary Meeting of Council held on 24 May 2005, the Council considered a report concerning a proposed Water Corporation Sewer Project in the Leederville Business District and resolved as follows;

"That the Council;

- (i) *RECEIVES the report on the Water Corporation of WA's Proposed Perth Main Sewer Diversion Project;*
- (ii) *REQUESTS that the Water Corporation does NOT pump a concrete slurry into the redundant sewer line located in the reserve which traverses The Avenue carpark but instead investigates alternatives options including possible removal of the redundant infrastructure;*

- (iii) *ACCEPTS the Water Corporation's Engineering Consultants, GHD Pty Ltd, offer to provide a detailed presentation to Council at the June 2005 Elected Members Forum;*
- (iv) *RECEIVES a further report once the Water Corporation has considered the Town's request as outlined in clause (ii); and*
- (v) *ENTERS into discussions with the Water Corporation regarding the Leederville Masterplan."*

DETAILS:

Confidential Forum

A confidential Forum for Elected Members was held on Tuesday 21 June 2005. At this Forum, representatives from the Water Corporation presented an overview of the proposed Sewer Project, the CEO and an Officer from EPRA spoke about master planning and economic redevelopment, Pracsys Consulting presented on the economic benefits of urban renewal and N S Stevens spoke about project management.

Meeting with Water Corporation

Following this Forum, the Town's Officers met with the Water Corporation and expressed concerns about a "spur" sewer line which is proposed to be located 1.5 metres within the Town's boundary adjacent to the Kailis Development site. Alternative options were discussed.

The Water Corporation indicated that it is at a stage where it is about to advertise the tender for these sewer works and requested the Town to indicate its position. Preliminary alternative routes have been investigated by the Town's Technical Services Division and these have been favourably received by Water Corporation Officers. This alternative route for the "spur" sewer line would be from the junction of the Water Corporation Reserve where it meets the eastern portion of The Avenue carpark land, in a westerly direction to Leederville Parade, where it will meet the new main sewer. For this to occur, the sewer route would need to be protected by an easement or placed in a road reserve.

Additional consultants' advice (both architecturally and possibly from hydraulics engineers) will be required. Should the Council approve of this alternative option, it will necessitate a new road reserve being created and will set the "footprint" for any future redevelopment proposals for The Avenue Carpark (see plan attached at Appendix 13.1).

A degree of urgency concerning this decision is required, in order that the Water Corporation can proceed with the advertising of their tender. (They have indicated that the work is urgent, as the sewer in this part of the Reserve is considered to be in an advanced stage of deterioration.)

The Mayor, CEO and Councillor Chester are scheduled to meet with the Chief Executive Officer of the Water Corporation on 4 July 2005.

Meeting with Department of Planning and Infrastructure

As required by the Council decision, the Mayor, CEO and Executive Manager Environmental & Development Services met on 17 May 2005 with a Senior Officer of the Department of Planning and Infrastructure (DPI) and the Minister for Planning and Infrastructure's office (the Minister and Director General of the DPI were both unavailable). At this meeting, the Mayor outlined the Town's proposal and sought the assistance of the State Government for the future redevelopment.

Water Corporation Reserve

As part of the Town's investigations concerning the sewer routes, the matter of relocating the main water drain (which consists of a 1.05 metre diameter drain) from the corner of Vincent Street/Leederville Parade, along The Avenue (at the rear of "Dewsons") and in a southerly direction at the rear of the Oxford Street shops to the western junction of the reserve where it meets the carpark land.

The cost of relocating this drain (which would be subject to Water Corporation approval) is estimated to be \$350,000-\$400,000. It has been suggested to the Water Corporation that the Town would carry out this work, subject to the land in the existing reserve (which would no longer be required) being transferred to the Town at no cost. Should this occur, the whole of the land would no longer be encumbered by a Water Corporation Reserve. This will increase the redevelopment potential of the land, whilst at the same time providing the Water Corporation with a new portion of the drain. The Water Corporation are currently investigating this matter and are awaiting a formal decision of the Council.

Architectural Advice

Following the Forum discussions were held with the Mayor and Councillor Chester on the best way to proceed, and it was determined that it would be advisable to engage architects who have considerable expertise in inner-city urban design and master planning.

An architectural firm, Jones Coulter Young, has been recommended, in view of their expertise in this type of work. The Chief Executive Officer, together with Councillor Chester and Executive Managers Technical Services and Environmental & Development Services met on Monday 27 June 2005 with representatives of Jones Coulter Young and briefed them on the proposal. A quotation was requested and has been received as follows;

"Dear John

**RE: FEE PROPOSAL ARCHITECTURAL SERVICES
REDEVELOPMENT OF THE AVENUE & FRAME COURT CARPARK LAND**

Further to our meeting yesterday, we confirm our fee proposal as follows:

1. SCOPE OF WORKS

- *Prepare indicative built form footprints for both sites to confirm site area allocation and potential yield and uses.*
- *Assess the built form development requirements to reflect current and future market trends.*
- *Design the built form integration with existing context, considering commercial issues, pedestrian flow, vehicular movements and good urban design practices (safety, sunlight, scale, bulk, activation).*
- *Review the overall masterplan in the light of TOD opportunities, recommend ongoing research programmes in determining public transport utilisation and pedestrian flows.*
- *Prepare assessment of Water Corporation services route within the development plan and propose the preferred option.*
- *Comment on proposed Kailis development abutments to council land and existing pedestrian access ways.*

2. *PROGRAMME**Stage One (complete by 30.06.05)*

- *Prepare outline concept options.*
- *Discuss economic plan with Pracsys.*
- *Meet with council representatives to workshop options (1 July TBC).*

Stage Two (complete by 06.07.05)

- *Prepare concept.*
- *Prepare development report and issues paper.*
- *Present to council representatives.*

3. *FEES*

Our fees will be based on an hourly rate and we estimate them as follows:

Stage One

<i>Paul Jones</i>	<i>\$200</i>	<i>10</i>	<i>\$ 2,000</i>
<i>Peter Hobbs</i>	<i>\$150</i>	<i>15</i>	<i>\$ 2,250</i>
<i>Assistant</i>	<i>\$85</i>	<i>20</i>	<i>\$ 1,700</i>
	<i>Sub Total</i>		<i>\$ 5,950</i>

Stage Two

<i>Paul Jones</i>	<i>\$200</i>	<i>10</i>	<i>\$ 2,000</i>
<i>Peter Hobbs</i>	<i>\$150</i>	<i>10</i>	<i>\$ 1,500</i>
<i>Assistant</i>	<i>\$85</i>	<i>20</i>	<i>\$ 1,700</i>
	<i>Sub Total</i>		<i>\$ 5,200</i>
	<i>TOTAL</i>		<i>\$11,150</i>
	<i>+ GST</i>		<i>\$ 1,115</i>
			<i>\$12,265</i>

Yours faithfully

PAUL JONES

Director

for Jones Coulter Young"

The quotation has been assessed by the Town's CEO and Executive Managers as being fair and reasonable and the hourly rates quoted are consistent with other architectural firms (as shown in the recent tender for architectural services relating to Members Equity Stadium - Stage 2 Redevelopment).

Proposed Kailis Land Development

Since March 2005, the Town's Officers have held a number of meetings with Theo Kailis and his architect concerning their proposed redevelopment. Preliminary plans have been provided to the Town's Executive Manager of Environmental & Development Services and such plans are similar to the development approval granted by the Council in December 2004, however a basement carpark and an additional above ground floor has been added, that is, the development will comprise of basement, ground floor and two levels of mixed use development. The proposal also contemplates an access on their western boundary into the Council land. Should this occur, to protect this access an easement will be required in perpetuity. This may compromise the future development of the Council's land, as the Council is not in an advanced stage to determine the best use of its land. For this reason, it is essential that architectural services be engaged to provide advice for the future development of the Council land.

Mr Kailis has indicated that he proposes to lodge his plans with the Council in late June 2005, which would require the Council to determine its position within 60 days.

Possible Land Swap with Council

At the Ordinary Meeting of Council held on 21 December 2004 the Council approved the application submitted by T. Kailis on behalf of the owner GNTM Pty Ltd for proposed demolition of existing building and construction of two-storey mixed use development comprising offices, shops, associated undercroft carparking and visual feature, at Nos. 103-105 (Lot 100) Oxford Street, Leederville.

This proposed development involved developing approximately 1,776m² of land owned by the Kailis family. The "Site History" for this property is detailed in the report to the Ordinary Meeting of Council held on 11 March 2003 at Item 10.1.10.

The land swap/purchase option was to involve;

1. the Kailis family retaining approximately 1,572m² of land - with a 13.92m (approx) frontage to Oxford Street;
2. the Kailis family's "disposal" of approximately 687m² to the Town;
3. the Council disposing of approximately 461m² to the Kailis family (of which 31m² is currently dedicated roads - this would require the approval of the Department of Land Information and the Department of Planning and Infrastructure/WAPC).

Further discussions with Mr Kailis and his architect have revealed that Mr Kailis is not pursuing this matter.

Landholdings

The Council owns the following landholdings in the area;

1. The Avenue Carpark

The land comprises:	Size
Pt Lot 8	374m ²
Pt Lot 9	374m ²
Pt Lot 10	301m ²
Pt Lot 9	1,755m ²
Pt Lot 301	1,487m ²
Pt Lot 33	1,214m ²
Pt Lot 34 (<i>NB: 2 pieces of land - 386m² + 89m²</i>)	386m ²
Pt Lot 36	1,606m ²
Pt Lot 217	640m ²
	<hr/>
	8,137m ²
	<hr/>
Water Corporation Reserve	826m ²
	<hr/>
Total	8,963m²
	=====

2. Framecourt Carpark*

The land comprises:

	Size
Lot 1 (<u>Current Park</u>)	736m ²
Pt Lot 5	836m ²
Pt Lot 5	2,436m ²
Pt Lot 27	2,258m ²
Lot 28	2,628m ²
Pt Lot 25 (<u>Current Park</u>)	2,146m ²
Lot 5	119m ²
Sub-Total	11,159m ²
Vesting Order (<u>No. 9790</u>)	877m ²
Total	12,036m²

- * HQ Youth Facility is approximately 2,597m² - this includes 877m² of land vested in the Town (and not available for redevelopment) and 2,882m² of parkland.

The HQ Facility is constructed over parks of Lots PT 25, 27, 28 and 5.

An area of approximately 6,640m² would be available for redevelopment after excluding the HQ Youth Facility premises (2,597m²), land which is vested in the Town (877m²) and suggested park (1,800m²).

3. Nos 291 and 295 Vincent Street

	Size
Pt Lot 7 (No. 291 - vacant)	526m ²
Lot 6 (No. 295 - house and land)	526m ²
Total	1,052m²

Vincent Street Land

No examination of this land potential has been carried out at this stage.

Water Corporation Drain Reserve

On 1 July 2001, the Town entered into a licence agreement with the Water Corporation over the Mounts Bay Road Main Drain Reserve on Plan 560, for a period of 99 years. This drain reserve adjoins the Frame Court carpark and traverses in a north-west - south-east direction across The Avenue Carpark. The drain reserve also adjoins the current Kailis property.

Therefore, any redevelopment over this drain reserve will require the approval of the Water Corporation.

CONSULTATION/ADVERTISING:

Not applicable at this stage.

LEGAL/POLICY:

The Council Policy No. 1.2.3 - "Contracts for the Supply of Goods and/or Services" - requires three written quotations for goods and services between \$2,000 to \$50,000. The Local Government (Functions and General) Regulations 1996 prescribes the procedure for tenders.

In view of the urgency for this work and the need to maintain confidentiality concerning the commercial sensitivity of the proposed concept work, only one quotation has been obtained.

STRATEGIC IMPLICATIONS:

This proposal is in keeping with the Town's Strategic Plan 2005-2010, Key Result Areas 3.2, 3.3 and 3.3(a), (c) and (e) as follows;

- 3.2 *"Develop business strategies that provide a positive triple bottom line return for the Town",*
- 3.3 *"Promote the Town of Vincent as a place for investment appropriate to the vision for the Town and Develop partnerships and alliances with key stakeholders",*
 - 3.3(a) *"Adopt policies and practices to promote appropriate investment";*
 - 3.3(c) *"Promote partnerships at the intrastate, interstate and international level to attract investment to the Town and enhance its place as a regional centre";*
 - 3.3(e) *"Encourage local businesses to contribute to the local community."*

Leederville Masterplan

A meeting of the Leederville Masterplan Working Group was held on 7 June 2005. At this meeting, the consultants were requested to present their final draft of the Masterplan document. A copy of this document has now been received and is being assessed by the Town's Administration.

Economic Development Strategy

The Economic Development Strategy has been advertised for community consultation and at the closing date of 24 June 2005, one submission had been received. This matter will be assessed and will be further reported to Council in July/August 2005.

This Economic Development Strategy refers to the redevelopment of the Town's shopping precincts, including the Oxford Centre. This concept has been discussed with the consultants for this Strategy - who are supportive of the direction.

FINANCIAL/BUDGET IMPLICATIONS:

At the Special Meeting of Council held on 2 March 2005, an amount of \$35,000 was approved to be reallocated from the "Water Corporation Reserve Upgrade" Cost Centre to "Oxford Centre Redevelopment Consultancies".

COMMENTS:

This matter has been reported as "Urgent Business", as it may have considerable financial implications, both in the short term and long term for the Council. The need to obtain urgent advice has arisen because of the potential benefits which can be derived from re-routing the sewer from the Town's land. However, in doing so, the architectural "footprint" will determine the lot sizes and configuration which will be used in the future redevelopment. Both of these matters can have a potential to impact financially on the Town.

Accordingly, the Council's approval in this matter is requested.

14. CLOSURE

The Presiding Member, Mayor Catania JP, declared the meeting closed at 10.50pm with the following persons present:

Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Simon Chester	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate Services

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 28 June 2005.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2005