



CITY OF VINCENT

COUNCIL BRIEFING

3 MARCH 2015

Notice of Meeting and Agenda

Notice is hereby given that a Council Briefing will be held at the City of Vincent Administration and Civic Centre, at 244 Vincent Street (corner Loftus Street) Leederville, on **Tuesday, 3 March 2015** at 6.00pm.

John Paton
ACTING CHIEF EXECUTIVE OFFICER

26 February 2015

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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COUNCIL BRIEFING PRINCIPLES:

The following rules and principles apply to the City of Vincent Council Briefings:

1. Unless otherwise determined by Council, Council Briefings will be held in the Council Chamber on the Tuesday of the week prior to the Ordinary Council Meeting, to provide the opportunity for Elected Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented to Council in the following week.
2. The Council Briefing is not a decision-making forum and the Council has no power to make decisions at the Briefing.
3. In order to ensure full transparency, Council Briefings will be open to the public to observe the process and to ask Public Questions, similar to the Council Meeting process.
4. Where matters are of a confidential nature, they will be deferred to the conclusion of the Briefing and at that point, the Briefing will be closed to the public.
5. The reports provided to Council Briefings are the reports that the Administration intends to submit to Council formally in the subsequent week. While it is acknowledged that Elected Members may raise issues that have not been considered in the formulation of the report or its recommendation, and these may be addressed in the subsequent report to Council, Council Briefings cannot be used as a forum for Elected Members to direct Officers to alter their opinions or recommendations. However, having regard to any questions or clarification sought by Elected Members, the Chief Executive Officer and Directors may choose to amend Administration reports, or withdraw and not present certain items listed on the Council Briefing Agenda to the subsequent Council Meeting in the following week.
6. Council Briefings will commence at 6.00 pm and will be chaired by the Mayor or in his/her absence the Deputy Mayor. In the absence of both, Councillors will elect a chairperson from amongst those present. In general, Standing Orders will apply, except that Members may speak more than once on any item. There is no moving or seconding items.
7. Members of the public present at Council Briefings may observe the process and will have an opportunity to ask Public Questions relating only to the business on the agenda.
8. Where an interest is declared in relation to an item on the Council Briefing Agenda, the same procedure which applies to Ordinary Council meetings will apply. All interests must be declared in accordance with the City's Code of Conduct. The Briefing will consider items on the agenda only and will proceed to deal with each item as it appears in the Agenda. The process will be for the Presiding Member to call each item number in sequence and invite questions or requests for clarification from Elected Members. Where there are no questions regarding the item, the Briefing will proceed to the next item.
9. Notwithstanding 8. above, the Council Briefing process does not and is not intended to prevent an Elected Member from raising further questions or seeking further clarification after the Council Briefing and before or at the Council Meeting in the subsequent week.
10. While every endeavour is made to ensure that all items to be presented to Council at the Ordinary Council Meeting are included in the Council Briefing papers, there may be occasions when, due to necessity, items will not be ready in time for the Council Briefing and will instead be included on the Council Meeting Agenda to be presented directly to Council for determination.
11. There may also be occasions when items are tabled at the Council Briefing rather than the full report being provided in advance. In these instances, Administration will endeavour to include the item on the Council Briefing agenda as a late item, noting that a report will be tabled at the meeting.
12. Unless otherwise determined by the Presiding Member, deputations will generally not be heard at Council Briefings and will instead be reserved for the Ordinary Council meeting, consistent with the City's Standing Orders Local Law.
13. The record of the Council Briefing session will be limited to notes regarding any agreed action to be taken by Administration or Elected Members. The Council Briefing is not a decision-making forum and does not provide recommendations to Council as a Committee might and, as such, the action notes from Council Briefings will be retained for administrative purposes only and will not be publicly distributed unless authorised by the Chief Executive Officer.

PROCEDURE FOR PUBLIC SPEAKING TIME

The City of Vincent Local Law Relating to Standing Orders prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the City, either verbally or in writing, at a Council meeting.

Questions or statements made at a Council Briefing must relate only to matters listed on the Council Briefing Agenda. Questions or statements made at an Ordinary Council meeting can relate to any matters that affect the City. Questions or statements made at a Special Meeting of the Council must only relate to the purpose for which the meeting has been called.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name, address and Agenda Item number (if known).
2. Public speaking time will be strictly limited to three (3) minutes per member of the public.
3. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
4. Public speaking time is declared closed when there are no further members of the public who wish to speak.
5. Questions/statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Council Member or City Employee.
6. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the City, or (where applicable) does not relate to an item of business on the meeting agenda, the Presiding Member, he may ask the person speaking to promptly cease.
7. In the case of the Ordinary and Special Council Meetings, Questions/statements and any responses will be summarised and included in the Minutes of the Council Meeting. Questions/Statements will not be summarised or included in the notes of any Council Briefing unless Administration to take action in response to the Question/Statement which could include, but is not limited to provide further commentary or clarification in the report to Council to address the question/statement.
8. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *"taken on notice"* and a written response will be sent by the Chief Executive Officer or relevant Director to the person asking the question. In the case of the Ordinary and Special Council Meetings, copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
9. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

RECORDING OF COUNCIL MEETINGS

- ◆ All Council Briefings, and Ordinary and Special Council Meetings are electronically recorded (both visual and audio), except when the Council resolves to go behind closed doors;
- ◆ All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office;
- ◆ A copy of the recorded proceedings and/or a transcript of a particular section or all of a Council meeting is available in accordance with Policy No. 4.2.4 - Council Meetings – Recording and Access to Recorded Information.

ORDER OF BUSINESS

1. (a) **Declaration of Opening**
(b) **Acknowledgement of Country Statement**
"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".
2. **Apologies/Members on Approved Leave of Absence**
Nil.
3. **Public Question Time and Receiving of Public Statements**
4. **Declarations of Interest**
Nil.
5. **Reports**

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5.1.1	No. 350 (Lot: 1 D/P: 83539) Charles Street, North Perth – Proposed Demolition of Existing Service Station Building and Construction of a Car Wash (Unlisted Use), Cafe and Associated Car Parking (5.2014.357.1) [Absolute Majority Decision Required]	1
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8.	Confidential Items/Matters (“Behind Closed Doors”)	
	Nil.	
9.	Closure	

5.1 PLANNING SERVICES

5.1.1 No. 350 (Lot: 1 D/P: 83539) Charles Street, North Perth – Proposed Demolition of Existing Service Station Building and Construction of a Car Wash (Unlisted Use), Cafe and Associated Car Parking

Ward:	North	Date:	20 February 2015
Precinct:	Charles Centre; P7	File Ref:	5.2014.357.1
Attachments:	001 – Property Information Report 002 – Amended Development Application Plans 003 – Development Application Report 004 – Department of Planning Comments 005 – Main Roads WA Comments 006 – Department of Environmental Regulation Comments 007 – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the application submitted by Magic Hands Carwash on behalf of the owners, Cotrell Pty Ltd, for the proposed demolition of an Existing Service Station Building and the Construction of a Car Wash (Unlisted Use), Cafe and Associated Car Parking at No. 350 (Lot: 1 D/P: 83539) Charles Street, North Perth as shown on amended plans stamp dated 4 February 2015, included as Attachment 002, subject to the following conditions:

1. **Demolition**

A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;

2. **Car Parking and Access Ways**

2.1 The car park shall be used only by staff and visitors directly associated with the business;

2.2 The car parking and access areas are to comply with the requirements of AS2890.1;

2.3 Vehicle and pedestrian access points are required to match into existing footpath levels; and

2.4 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;

3. **External Fixtures**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Charles and Angove Streets and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. **Interactive Front**

Windows and doors fronting Charles and Angove Streets shall maintain an active and interactive relationship with the street;

5. **Earthworks in the Charles Street Road Reservation**

No earthworks, fixed structures or building components shall encroach into the Charles Street road reservation;

6. **Signage**

All signage that does not comply with the City's Policy No. 7.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted to and approved by the City prior to the erection of the signage;

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

7.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted to address potential operating noise;

7.2 **Landscaping and Verge Upgrade Plans**

A detailed landscape, reticulation and verge upgrade plan for the development site and adjoining road verges shall be submitted to the City for assessment and approval. The plan shall be drawn to a scale of 1:100 and shall show the following:

7.2.1 The location and type of proposed trees, shade trees and plants;

7.2.2 The areas to be irrigated or reticulated and the watering system to ensure the establishment of species and their survival during the hot and dry months; and

7.2.3 The removal of redundant crossovers;

7.3 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details) is to be provided to and approved by the City;

7.4 **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 relating to Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

7.5 Waste Management

7.5.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;

7.5.2 A bin store of sufficient size to accommodate the City's bin requirement shall be provided, to the satisfaction of the City; and

7.5.3 Waste management for the development shall thereafter comply with the approved Waste Management Plan;

7.6 Waste Water Management

7.6.1 A Waste Water Management Plan prepared to the satisfaction of the City shall be submitted and approved; and

7.6.2 Waste water management for the development shall thereafter comply with the approved Waste Water Management Plan; and

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

8.1 Car Parking

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

8.2 Stormwater

All storm water produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City. No stormwater drainage shall be discharged onto the Charles Street road reservation;

8.3 Acoustic Report Certification

In relation to condition 7.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City; and

8.4 Landscape Plan and Verge Upgrade Plan

In relation to condition 7.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense.

ADVICE NOTES:

- 1. With regard to condition 2.3, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in a satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;**
 - 2. With reference to condition 2.4, all new crossovers to the development site are subject to a separate application to be approved by the City;**
-

3. A refundable Verge Upgrade bond of \$10,000 shall be lodged and held by the City until all works have been completed and/or any damage to the existing facilities have been re-instated to the satisfaction of the City;
4. With regard to condition 7.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. A request to erect scaffolding, site fencing etc. or store building materials within the road reserve requires the City to issue a permit;
6. With regard to condition 7.6, all waste water associated with the car wash shall be collected in retention tanks, processed and recycled. Detail of the waste water processing procedure and mechanism specific to this site, shall be submitted and approved to the satisfaction of the City; and
7. With reference to condition 8.2, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

PURPOSE OF REPORT:

The proposed use is an unlisted use in TPS1. All unlisted uses must be determined by Council by an absolute majority (Clause 39 2(b) TPS1).

BACKGROUND:

Date	Comment
29 January 2008	The City cancelled an application for change of use from Service Station to Vehicle Sales Premises and Associated Alterations and Additions and Signage.

DETAILS:

Landowner:	Cotrell Pty Ltd
Applicant:	Magic Hands Carwash
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Commercial
Existing Land Use:	Service Station (currently vacant)
Use Class:	Unlisted Use (Carwash)
Use Classification:	"SA"
Lot Area:	1050.9 square metres
Right-of-Way:	Eastern side, 4 metres, Council owned

The proposal is to demolish the service station building and construct a Car Wash (Unlisted Use), Cafe and associated car parking.

The carwash component will consist of 2 wash bays and 4 finishing bays.

The existing crossovers intended to be reused will be reconfigured and all redundant crossovers will be removed and the verge reinstated.

A new shade sail and canopy structure are proposed to provide shade.

A café is proposed to be located in the new building and will provide a waiting area and refreshments for customers of the carwash while their vehicles are being washed and/or detailed.

The carwash and café will be open from 8am to 6pm seven days a week and the café/waiting area will provide seating for 25 people.

The proposed maximum number of staff to be on-site is fourteen (14).

Six car bays and two bicycle bays are proposed to be provided onsite as part of this proposal, which are expected to be mainly used by staff as customer's vehicles will either be getting serviced or waiting in the 10 proposed queue bays.

Amended plans have removed signage from the proposal. Therefore signage is not part of this application.

The car wash will operate as follows:

1. Customers will enter the site on Angove Street via an entry only access point and circulate clockwise around a centrally located administrative building stopping at one of the many designated queue bays.
2. The customer will then leave their keys with an attendant and proceed to the café to wait while the vehicle is serviced.
3. After the vehicle is serviced the customer will collect the vehicle and exit the site via an exit only point also located on Angove Street.

ASSESSMENT:

The table below is a summary of the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 and the City's policies. In each instance where the proposal requires the exercise of discretion, the relevant planning element is discussed in the section of the report following from this table.

Design Element	Complies	Requires the Exercise of Discretion
Front Setback	✓	
Lot Boundary Setbacks	✓	
Building Height	✓	
Bicycles	✓	
Access & Parking		✓
Signage	N/A	
Landscaping	✓	

Issue/Design Element:	Car Parking
Requirement:	Access and Parking Policy No. 7.7.1 7.6 car bays
Applicant's Proposal:	6 car bays
Design Principles:	Access and Parking Policy No. 7.7.1 <ol style="list-style-type: none"> 1. To define parking requirements that will meet the needs of the users of developments without resulting in the oversupply of parking. 2. To ensure safe, convenient, and efficient access for pedestrians, cyclists and motorists. 3. To promote a high standard of design for parking areas. 4. To ensure that parking and access facilities do not prejudice the environmental and amenity objectives of the City's Town Planning Scheme. 5. To promote alternate transport modes by including requirements to provide bicycle parking and reducing parking requirements where alternatives exist. 6. To enable the payment of cash-in-lieu for parking shortfalls and to provide a set of guidelines to enable the calculation of cash-in-lieu to be determined in a consistent and transparent manner. 7. To ensure long term viability of parking proposals by defining the circumstances in which Parking Management Plans are required and providing guidelines for their content.
Applicant Justification/Summary:	Nil.
Officer technical comment:	It is intended and expected that the Café will primarily be used by customers of the Car Wash waiting for their vehicles to be serviced. It is therefore appropriate that the car bays required for the Café component of the application are used on a reciprocal basis with the primary use of Car Wash. Given customers stop in the many queuing bays, no car parking bays are required for customers. Therefore the proposed shortfall of 1.6 bays is acceptable.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Consultation Period:	18 July 2014 to 8 August 2014
Comments Received:	Three (3) objections and One (1) submission in support.

Summary of Comments Received:	Officer Technical Comment:
Support	
<u>Aesthetics</u> The development will improve the aesthetic of our immediate area.	The proposed development will improve the aesthetics of the site, which is currently vacant, gated and in a state of disrepair.

Summary of Comments Received:	Officer Technical Comment:
Object	
<p><u>Parking</u></p> <p>Concern that three (3) car bays would be insufficient in relation to the amount of staff that will be present at any one time (minimum of 8 and a maximum of 14).</p> <p>It is considered unlikely that the majority of the staff would access the site via public transport and therefore this reason should not be taken into account for allowing a shortfall in car parking numbers.</p>	<p>Revised plans submitted since comments were received have increased the number of on-site car bays to six (6). However, a shortfall of 1.6 bays is still proposed.</p> <p>It is intended and expected that the six (6) onsite car parking bays provided will be used primarily by the eight (8) to fourteen (14) staff working at any one time.</p> <p>While, it is unlikely that all of the staff will get to work by means of transport other than by car, it is likely that a significant portion of the workforce will be young persons and students who are more likely to use alternate means of transport.</p>
<p><u>Access</u></p> <p>The location of the crossovers near to traffic lights is questionable.</p> <p>Access to the site should be via the ROW where possible.</p>	<p>Revised plans show no access to or from Charles Street in line with Mains Roads WA requirements.</p> <p>All access is proposed from Angove Street and meets the requirements of the City and Main Roads WA.</p> <p>The site level is currently much lower than the ROW level. Considerable site works would be required to provide suitable vehicle access from the ROW to the site. It would therefore be unreasonable to insist that access is from the ROW when access from Angove Street is a suitable alternative.</p>
<p><u>Signage</u></p> <p>The proposed signs will have a negative impact on the amenity of the locality.</p> <p>The proposed signs may create vehicle safety issues.</p>	<p>The amended plans have removed all signage from the proposal, and to ensure that any proposed signage is appropriate and within the City's policy provisions a condition has been imposed.</p>
<p><u>Amenity</u></p> <p>Cars will queue constantly onsite making the site look like a car park, which will not conserve or improve the amenity of the area.</p>	<p>The Charles Centre Precinct Policy states that the precinct is to predominantly be reinforced and enhanced as a commercial, light industrial and local retail area.</p>

Summary of Comments Received:	Officer Technical Comment:
<p>The development is not in keeping with the published intention for mixed use residential/commercial in the area.</p> <p>The corner site is a significant site and what develops on this site will have a significant bearing on how the locality develops. If the City continues to allow semi-industrial uses, then developments of a higher amenity will be dissuaded from locating close by.</p>	<p>The Charles Centre Precinct Policy also states that any new commercial buildings should be of a scale similar to the majority of existing buildings in the immediate locality and comprise a consistent built form, particularly in relation to height and setbacks from the street.</p> <p>The proposed development is consistent with the form and use of development in the locality. In particular the large service station development situated on the opposite corner displays a similar aesthetic and use to the proposed development.</p> <p>Accordingly, the proposed development is consistent with the objectives of the Policy.</p> <p>The redevelopment of the site will improve the amenity of the area, especially with regard to the landscaping proposed.</p>
<p><u>Contamination</u></p> <p>The site was previously used as a petrol station and as such any contamination should be managed or removed.</p> <p>The vast amounts of water discharged onsite may spread the contamination.</p>	<p>The application was referred to the Department of Environmental Regulation for comment due to the previous use of the site as a Petrol Station.</p> <p>The site has a “remediated for restricted use” classification, as per the standards of the Department of Environmental Regulation, which makes it suitable for commercial uses under this classification.</p>
<p><u>Noise</u></p> <p>The noise emitted from the operation will have an effect on nearby residents, especially on weekends.</p>	<p>It is recommended that a condition is imposed on the approval that requires an Acoustic Report to be prepared and approved by the City and that the recommended measures of the report are implemented.</p>

External Consultation

Design Advisory Committee:

Referred to Design Advisory Committee: No

Department of Planning:

Given Charles Street is classified as an Other Regional Road in the Metropolitan Region Scheme (MRS), the proposal was referred to Department of Planning (DOP) for comments. The Department has advised that there is no objection to the proposed development.

Main Roads WA:

The application was referred to Main Roads WA for comment, who expressed support for the proposal subject to appropriate conditions.

Department of Environmental Regulation:

Given the site was previously used as a service station, the proposal was referred to Department of Environmental Regulation for comment. The Department classifies the land as "remediated for restricted use" and has advised that there is no objection to the proposed development subject to appropriate conditions.

Internal Consultation:

Heritage Services:

Assessment by the City's Heritage Services found that the existing structures on the property did not meet the threshold for entry on the City's Municipal Heritage Inventory. As such there is no objection to the buildings being demolished.

Technical Services:

During the assessment process the applicant addressed issues relating to Waste Water Management and the location of Bin Stores to the satisfaction of the City's Technical Services, who now support the proposal subject to relevant conditions.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice".

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL
The business will operate under the Water Saver Rating Scheme, an approved water conservation plan created by the Australian Car Wash Association.
SOCIAL
The proposal provides for access to a wider range of services to the local community. The re-development and re-use of the site will improve the amenity of the local area and dissuade the site being used for anti-social purposes.
ECONOMIC
The development will provide increased employment opportunities.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed car wash use is acceptable in the location as the lot abuts the busy vehicle dominated intersection of Scarborough Beach Road/Angove Street and Charles Street other neighbouring commercial uses.

The proposed redevelopment of the site, including the built form, the removal of redundant crossovers and landscaping will improve the amenity of the property and the local vicinity.

The proposed 1.6 car parking bay shortfall is acceptable, given that the Car Wash includes a large number of queuing bays, which will provide parking for customers waiting for their vehicles to be serviced.

CONCLUSION:

The proposal is considered acceptable. This development will contribute positively to the revitalisation of the site. It is therefore recommended that the proposal is approved subject to appropriate conditions.

5.1.2 Nos. 307A – 311 (Lot: 50 D/P: 70886) Fitzgerald Street, West Perth – Proposed Partial Demolition of an Existing Service Station Building and the Change of Use to Car Wash (Unlisted Use), Cafe and Associated Car Parking and Building Additions

Ward:	South	Date:	20 February 2015
Precinct:	Hyde Park; P12	File Ref:	5.2014.575.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Development Application Report 004 – Department of Planning Comments 005 – Department of Environmental Regulation Comments 006 – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	T Wright, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the application submitted by Sacha Grewal on behalf of the owner Tripleview Holdings Pty Ltd, for the proposed partial demolition of an Existing Service Station Building and the Construction of a Car Wash (Unlisted Use), Cafe and Associated Car Parking at Nos. 307A – 311 (Lot: 50 D/P: 70886) Fitzgerald Street, West Perth as shown on amended plans stamp dated 3 February 2015, included as Attachment 002, subject to the following conditions:

1. **Demolition**
 A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
2. **Car Parking and Access Ways**
 - 2.1 The car park shall be used only by staff and visitors directly associated with the development;
 - 2.2 The car parking and access areas are to comply with the requirements of AS2890.1;
 - 2.3 Vehicle and pedestrian access points are required to match into existing footpath levels; and
 - 2.4 All new crossovers shall be constructed in accordance with the City's Standard Crossover Specifications;
3. **External Fixtures**
 All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Fitzgerald, Vincent and Eden Streets and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;
4. **Interactive Front**
 Windows and doors fronting Fitzgerald, Vincent and Eden Streets shall maintain an active and interactive relationship with the street;

5. **Groundwater Bores and Groundwater Abstraction**

All groundwater bores are to be retained and groundwater is not to be abstracted for any purpose other than analysis or remediation;

6. **Signage**

All signage that does not comply with the City's Policy No. 7.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted to and approved by the City prior to the erection of the signage;

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

7.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted to address potential operating noise;

7.2 **Landscaping and Verge Upgrade Plans**

A detailed landscape, reticulation and verge upgrade plan for the development site and adjoining road verges shall be submitted to the City for assessment and approval. The plan shall be drawn to a scale of 1:100 and shall show the following:

7.2.1 The location and type of proposed trees, shade trees and plants;

7.2.2 The areas to be irrigated or reticulated and the watering system to ensure the establishment of species and their survival during the hot and dry months;

7.2.3 The removal of redundant crossovers; and

7.2.4 The additional areas shown hatched on the approved plans shall be included as soft landscaping;

7.3 **Schedule of External Finishes**

The external appearance of the existing buildings and structures is to be upgraded to the satisfaction of the City. A detailed schedule of external finishes for both the existing buildings and structures and new buildings and structures (including materials and colour schemes and details) is to be provided to and approved by the City;

7.4 **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 relating to Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

7.5 Waste Management

7.5.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;

7.5.2 A bin store of sufficient size to accommodate the City's bin requirement shall be provided, to the satisfaction of the City; and

7.5.3 Waste management for the development shall thereafter comply with the approved Waste Management Plan;

7.6 Waste Water Management

7.6.1 A Waste Water Management Plan prepared to the satisfaction of the City shall be submitted and approved; and

7.6.2 Waste water management for the development shall thereafter comply with the approved Waste Water Management Plan; and

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

8.1 Car Parking

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

8.2 Stormwater

All storm water produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City;

8.3 Acoustic Report Certification

In relation to condition 7.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

8.4 Landscape Plan and Verge Upgrade Plan

In relation to condition 7.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

8.5 External Finishes

In relation to condition 7.3, the external appearance of the existing buildings and structures is to be upgraded to the satisfaction of the City at the applicant's expense.

ADVICE NOTES:

1. With regard to condition 2.3, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;
2. With reference to condition 2.4, all new crossovers to the development site are subject to a separate application to be approved by the City;
3. A refundable Verge Upgrade bond of \$7,000 shall be lodged and held by the City until all works have been completed and/or any damage to the existing facilities have been re-instated to the satisfaction of the City;
4. With regard to condition 7.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
5. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. A request to erect scaffolding, site fencing etc. or store building materials within the road reserve requires the City to issue a permit;
6. With regard to condition 7.6, all waste water associated with the car wash shall be collected in retention tanks, processed and recycled. Detail of the waste water processing procedure and mechanism specific to this site, shall be submitted and approved to the satisfaction of the City; and
7. With reference to condition 8.2, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.

PURPOSE OF REPORT:

The proposed use is an unlisted use in TPS1. All unlisted uses must be determined by Council by an absolute majority (Clause 39 2(b) TPS1).

DETAILS:

Landowner:	Tripleview Holdings Pty Ltd
Applicant:	Sacha Grewal
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Commercial
Existing Land Use:	Service Station
Use Class:	Unlisted Use (Carwash)
Use Classification:	"SA"
Lot Area:	1076.4 square metres
Right-of-Way:	NA

The proposal is to partially demolish the service station building and construct a Car Wash, Cafe and associated car parking.

The site contains two buildings, of which one is currently used for the retail component of the service station and the other as a mechanical workshop. Two large awnings adjoin the retail building providing cover for the petrol bowsers.

It is proposed to partially demolish the mechanical workshop building located in the western corner of the site and modify it to create a much smaller building that will be used for a new equipment store.

It is also proposed to partially demolish the building used for the retail component of the service station and add extensions to the east and west of this building. The new building will be used to accommodate the administration component of the car wash, staff amenities, restrooms and a café/alfresco area for customers.

The two large awning structures will be retained and new shade sails will be constructed of various shapes and sizes to provide shade to customers and staff.

The existing crossovers along Fitzgerald Street will be reconfigured to provide access from Fitzgerald Street only. All redundant crossovers will be removed and the verge reinstated.

The carwash component will consist of 2 wash bays and 2 finishing bays (waxing and vacuuming).

A café is located in the main building and will provide a waiting area and refreshments for customers of the carwash while their vehicles are being washed and/or detailed.

The carwash and café will be open from 7am to 7pm seven days a week and the café/waiting area will provide seating for 18 people.

The expected number of staff working at any one time is four (4) on weekdays and six (6) on weekends.

Seven car bays are provided onsite, which are expected to be mainly used by staff as customer vehicles will either be getting serviced or waiting in the queue bays.

While signage is indicated on the proposed elevations, it is conceptual only and not part of this application.

The car wash will operate as follows:

1. Customers will enter the site on Fitzgerald Street via an entry only access point and circulate clockwise around a centrally located administrative building stopping at one of the many designated queue bays.
 2. The customer will then leave their keys with an attendant and proceed to the café to wait while the vehicle is serviced.
 3. After the vehicle is serviced the customer will collect the vehicle and exit the site via an exit only point also located on Fitzgerald Street.
-

ASSESSMENT:

The table below is a summary of the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No 1, the Residential Design Codes and the City's policies. In each instance where the proposal requires the exercise of discretion, the relevant planning element is discussed in the section of the report following from this table.

Design Element	Complies	Requires the Exercise of Discretion
Street Setbacks	✓	
Lot Boundary Setbacks	✓	
Building Height	✓	
Bicycles	✓	
Access & Parking	✓	
Signage	NA	
Landscaping		✓

Issue/Design Element:	Landscaping
Requirement:	<p>Parking and Access Policy No. 7.7.1 and Design Guidelines for Commercial and Mixed Use Developments Policy No. 7.5.12</p> <p>30 percent of the street setback areas shall be provided as soft landscaping.</p>
Applicant's Proposal:	<p>A total of 25.8 percent of Fitzgerald, Vincent and Eden Streets street setback areas are provided with soft landscaping.</p>
Design Principles:	<p>Landscape design shall be integrated into the overall site layout and building design of the development to reduce the urban heat island effect and enhance and improve micro-climate conditions and contribute to local biodiversity.</p>
Applicant Justification/Summary:	<p><i>The proposal results in an overall increase to onsite landscaping from 69.2sqm to 118.3sqm.</i></p> <p><i>The majority of landscaping is focused around the perimeter of the subject site, thereby maximising its positive amenity impact to the overall streetscape in line with the general principle behind the landscaping requirement.</i></p>
Officer Technical Comment:	<p>There is scope to provide additional landscaping on the site that will increase the areas of soft landscaping.</p> <p>The additional landscaping will increase the proposed landscaping strips that front Vincent and Fitzgerald Street as shown hatched on the plans. This will result in 35.2% of landscaping being provided.</p> <p>The applicant has agreed to provide the additional landscaping and requested that this form a condition of the approval.</p> <p>Therefore it is recommended to impose a condition on the approval in this regard.</p> <p>The area of landscaping proposed onsite and the reinstatement of the verge areas will soften the built form on the site and improve the amenity of the locality.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Consultation Period:	18 July 2014 to 8 August 2014		
Comments Received:	One (1) in support, no comments were received with the submission.		

External Consultation

Design Advisory Committee:

Referred to Design Advisory Committee: No

Department of Planning:

Given Fitzgerald Street is classified as an Other Regional Road in the Metropolitan Region Scheme (MRS), the proposal was referred to Department of Planning (DOP) for comment. The Department has advised that there is no objection to the proposed development.

Department of Environmental Regulation:

Given the site is currently used as a service station, the proposal was referred to Department of Environmental Regulation for comment. The Department classify the land as “contaminated – remediation required” and have advised that there is no objection to the proposed development provided all 6 groundwater bores are retained and groundwater is not abstracted for any purpose other than analysis or remediation.

Internal Consultation:

Heritage Services:

Assessment by the City’s Heritage Services found that the existing structures on the property did not meet the threshold for entry on the City’s Municipal Heritage Inventory. As such, demolition of the existing structures is acceptable.

Technical Services:

During the assessment process the applicant has addressed issues relating to access, waste water management and bin stores to the satisfaction of the City’s Technical Services, who now support the proposal in its current form subject to relevant conditions.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

The applicant will have the right to have Council’s decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act*.

STRATEGIC IMPLICATIONS:

The City’s Strategic Plan 2013-2023 states:

“Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice".

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL
The business will operate under the Water Saver Rating Scheme, an approved water conservation plan created by the Australian Car Wash Association.

SOCIAL
The proposal provides for access to a wider range of services to the local community. The re-development and re-use of the site will improve the amenity of the local area and dissuade the site being used for anti-social purposes.

ECONOMIC
The development will provide increased employment opportunities.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed car wash use is acceptable in the location as the lot abuts the busy vehicle dominated intersection of Fitzgerald and Vincent Streets and other neighbouring commercial uses.

The proposed redevelopment of the site, including the built form, the removal of redundant crossovers and landscaping will improve the amenity of the property and the local vicinity.

With the proposed condition, the landscaping complies and will serve to soften the built form on the site and improve the amenity of the locality.

CONCLUSION:

This development will contribute positively to the revitalisation of the site. It is therefore recommended that the proposal is approved subject to appropriate conditions.

5.1.3 No. 125 & 127 (Lot: 12 & 102 D/P: 854 & 49899) Richmond Street, Leederville – Proposed Demolition of Existing Single House and Construction of a Three (3) Storey Multiple Dwelling Development

Ward:	South	Date:	20 February 2015
Precinct:	Leederville; P3	File Ref:	PR25043; 5.2014.540.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Development Report 004 – Neighbourhood Context Report 005 – Applicant’s Justification 006 – Extract Design Advisory Committee Meeting Minutes 007 – Heritage Comments 008 – Arboricultural Report 009 – Car Parking Calculation		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Cedar Property Group on behalf of the owner Rainday Holdings Pty Ltd, for the proposed demolition of an Existing Single House and construction of a Three (3) Storey Multiple Dwelling development comprising of eight (8) Two-Bedroom and nine (9) One-Bedroom Multiple Dwellings and Associated Car Parking at No. 125-127 (Lot: 12 & 102 D/P: 854 & 49899) Richmond Street, Leederville as shown on plans stamp dated 9 December 2014, included as Attachment 002, subject to the following conditions:

1. **Demolition**
 A Demolition Permit shall be obtained from the City prior to commencement of any works on site;

2. **Boundary Wall**
 The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 123 Richmond Street and No. 24 Melrose Street, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

3. **Verge Treatment**
 The verge trees shall be retained and protected from any damage including unauthorised pruning and no verge trees shall be removed;

4. **Retention of Existing Trees**
 - 4.1 The Flooded Gum Tree 500mm within the lot boundaries of No. 127 Richmond Street shall be retained and protected during construction and suitable means put in place to restore the tree to good health; and
 - 4.2 The two mature trees located along the western boundary shall be retained to become part of the proposed landscaping for the development and protected during construction;

5. **Car Parking and Access ways**

- 5.1 A minimum of seventeen (17) residential car bays and four (4) visitor bays, shall be provided on site;
- 5.2 The car park shall be used only by residents and visitors directly associated with the development;
- 5.3 The car parking area for visitors shall be shown as common property on the strata plan; and
- 5.4 All pedestrian access and vehicle driveway/crossover levels shall match into the existing footpath and Right-of-Way levels to the satisfaction of the City;

6. **Easement**

Where the proposed development is to be built over the City's twin drainage pipes that run through the property from Richmond Street to Melrose Street, the applicant at their full cost and to the satisfaction of the City shall:

- 6.1 Engage a suitably qualified Consulting Engineer to design, document and create an appropriate engineering solution to protect the drains and ensure that future access to the City's infrastructure remains available; and
- 6.2 Grant an easement over the full length of the existing drainage infrastructure within the property to the benefit of the City;

7. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Richmond Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot was heaters, air conditioners, and the like;

8. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner or the applicant on behalf of the owner shall comply with the following requirements:**

8.1 **Percent for Public Art**

Advise the City how the proposed development will comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers. A value of \$30,000, being the equivalent value of one per cent (1%) of the estimated cost of the development (\$3,000,000), is to be allocated towards the public art;

9. **PRIOR TO THE ISSUE OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City;**

9.1 **Waste Management**

- 9.1.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved;
 - 9.1.2 A bin store of sufficient size to accommodate the City's specified bin requirement shall be provided, to the satisfaction of the City; and
 - 9.1.3 Waste management for the development shall thereafter comply with the approved Waste Management Plan;
-

9.2 Revised Plans showing:

9.2.1 Visual Privacy

The balcony for Unit 9, 11, 14, 15 and 17 at any point within the cone of vision less than 6 metres from a neighbouring boundaries, shall be screened to the satisfaction of the City in accordance with the requirements of the Residential Design Codes;

9.2.2 Front Fence

The solid portion of the front fence (including along the side boundaries within the front setback area) shall not exceed a height of 1.2 metres. Above 1.2 metres the fence is to be 50 percent visually permeable to a maximum height of 1.8 metres; and

9.2.3 Crossover Width

The proposed crossover width is to be reduced to ensure the retention of the verge tree;

9.3 Landscape and Reticulation Plan

A detailed landscape and reticulation plan in accordance with the requirements of the Multiple Dwelling Policy No. 7.4.8 for the development site and adjoining road verge shall be submitted to the City for assessment and approval;

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

- 9.3.1 The location and type of existing and proposed trees and plants;
- 9.3.2 All vegetation including lawns;
- 9.3.3 Areas to be irrigated or reticulated;
- 9.3.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 9.3.5 The removal of redundant crossovers; and
- 9.3.6 The retention of the two trees on the western boundary being incorporated into the landscape strip along the proposed driveway and carparking area;

9.4 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted and the recommend measures of the acoustic report shall be implemented;

9.5 Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 7.5.23 relating to Construction Management Plans. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

9.6 Storm Water

All storm water produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City; and

9.7 Section 70A Notification under the Transfer of Land Act

The owner shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act in accordance with the Transfer of Land Act prior to the first occupation of the development:

9.7.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling; and

10. PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, the following shall be completed to the satisfaction of the City;

10.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility to be incorporated into the development in accordance with the City's Policy No. 7.4.8 relating to Development Guidelines for Multiple Dwellings and the Residential Design Codes of WA 2013;

10.2 Car Parking

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

10.3 Management Plan-Vehicular Entry Gates

Any proposed vehicular entry gates to the car parking area shall have a minimum 50 per cent visual permeability and shall be either open at all times or a plan detailing management measures for the operation of the vehicular entry gates, to ensure access is readily available for residents at all times, shall be submitted to and approved by the City;

10.4 Landscaping

With regard to condition 9.3, all works shall be undertaken in accordance with the approved plans, and maintained by the owner(s)/occupier(s);

10.5 Section 70A Notification under the Transfer of Land Act

With regard to condition 9.7, this notification shall be lodged and registered in accordance with the Transfer of Land Act;

10.6 Residential Bicycle Bays

A minimum of six (6) residential bicycle bays and two (2) visitor bicycle bays shall be provided on-site. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

10.7 Acoustic Report

With regard to condition 9.4, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

ADVICE NOTES:

1. With regard to condition 2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. In reference to condition 8.1 relating to Public Art the applicant has the following options:
 - 2.1 Option 1
Prior to the issue of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; or
 - 2.2 Option 2
Provide cash-in-lieu of an art project. Payment must be made prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first);
3. With regard to condition 9.3, Council encourages landscaping methods and species selection which do not rely on reticulation;
4. A Road and Verge security bond for the sum of \$4,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
5. With regard to condition 9.6, no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings; and
6. With regards to condition 4, protection of the trees during construction requires that the following shall not occur beneath the drip line of the trees to be protected and maintained:
 - Storage of materials;
 - Mixing of materials;
 - Parking of plant, machinery, vehicles, trailers etc.;
 - Erection of temporary structures;
 - Any in-ground or other intrusions such as trenching;
 - Damage to the tree in any form e.g. sign erection/cable attachment;
 - Placement of fill/soil and/or grade changes; and
 - Any other activities or otherwise that may affect the structure and health of the tree.

PURPOSE OF REPORT:

The proposal is referred to Council for determination as it is for seventeen (17) multiple dwellings.

BACKGROUND:

Nil.

History:

Nil.

Previous Reports to Council:

Nil.

DETAILS:

Landowner:	Rainday Holdings Pty Ltd
Applicant:	Cedar Property Group
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: Residential R60 Draft Town Planning Scheme No. 2: Residential R100
Existing Land Use:	Single House/Vacant Land
Use Class:	Multiple Dwellings
Use Classification:	"P" Permitted Use
Lot Area:	1,375 square metres (combined) (125 Richmond Street = 461 square metres and 127 Richmond Street = 914 square metres)
Right of Way:	N/A

The application is for the demolition of an existing single house at No. 127 Richmond Street and the construction of a three (3) storey multiple dwelling development comprising of eight (8) two-bedroom units and nine (9) one-bedroom units and associated car parking totalling seventeen (17) car bays for residents and four (4) for visitors at ground level. No. 125 Richmond Street is currently vacant land.

The existing dwelling at No. 127 Richmond Street has been assessed not to have heritage value.

The proposal will retain the existing Flooded Gum Tree that is located approximately 500mm from the front boundary at No. 127 Richmond Street and a further two (2) existing mature trees that are located along the western boundary.

Two drainage pipes run within the property boundaries of No. 127 Richmond Street. An easement is required along the drainage infrastructure in favour of the City to protect the City's infrastructure.

The proposal has been presented to the DAC three times to achieve the design that is currently presented. There having been no changes to the design since submission for the development approval.

Conditional approval to amalgamate the properties subject to this development was granted by the WA Planning Commission late in 2014.

ASSESSMENT:

Town Planning Scheme/R Codes/Residential Design Element's Initial Assessment

The table below is a summary of the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1, the Residential Design Codes and the City's policies. In each instance where the proposal requires the exercise of discretion, the relevant planning element is discussed in the section of the report following from this table.

Design Element	Complies	Requires the Exercise of Discretion
Plot Ratio		✓
Streetscape		✓
Front Fence		✓

Design Element	Complies	Requires the Exercise of Discretion
Front Setback		✓
Building Setbacks		✓
Building Height	✓	
Building Storeys	✓	
Open Space	✓	
Bicycles		✓
Access & Parking		✓
Privacy		✓
Solar Access	✓	
Roof forms		✓
Site Works	✓	
Essential Facilities	✓	
Surveillance	✓	
Landscaping	✓	

Acceptable Variations

Issue/Design Element:	Plot Ratio
Requirement:	Residential Design Codes Clause 6.1.1 0.6 = 962.5 square metres
Applicant's Proposal:	0.95 = 1,305 square metres (proposed variation of 342.5 square metres)
Design Principles:	Development of the building is at a bulk and scale intended in the local planning scheme and is consistent with the existing or future desired built form of the locality.
Applicant Justification/Summary:	<i>"While the Plot Ratio of 0.95 is in excess of the desirable Plot Ratio for R60 Zone, the building envelope was considered the critical element. In this respect, the proposed development is designed to complement the scale and bulk of other developments in the street".</i>
Officer Technical Comment:	Richmond Street is currently in a state of transition with a number of two storey grouped dwellings and multiple dwellings constructed or approved for development. Additionally, under the City's Draft Town Planning Scheme No. 2 this site will be zoned Residential R100. This zoning would permit a plot ratio of 1.25 or 1,718 square metres, which means that the proposed plot ratio for the current development would be compliant. The bulk and scale of the proposed development aligns with the emerging built form in the area while the proposed plot ratio meets the intended future vision.

Issue/Design Element:	Street Setback
Requirement:	Residential Design Elements Policy No. 7.2.1 Clause 6.4.2 Ground Floor average= 5.23 metres Upper Floors Wall = 2 metres behind each portion of the ground floor setback from the front boundary (7.23 metres) Balcony = 1 metre behind the ground floor setback from the front boundary (6.23 metres)

Issue/Design Element:	Street Setback
Applicant's Proposal:	<p>Ground floor: between 4 metres and 5 metres. (variation of 1.23 metres to 0.23 metres)</p> <p>Upper Floors</p> <p>Walls: First floor - directly above ground floor (5.3 metres from front boundary) (variation of 2 metres)</p> <p>Second floor – 1.5 metres from first floor (6.73 metres from front boundary) (variation of 0.5 metres)</p> <p>Balconies: First floor – overhangs ground floor by 3 metres to 3.5 metres (between 1 metre and 1.3 metres from the front boundary) (variation of 4.9 metres to 5.23 metres)</p> <p>Second floor – balcony directly above walls on first floor (between 3.2 metres and 4.3 metres from the front boundary) (variation of 1.93 metres to 3.03 metres)</p>
Design Principles:	<p>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2 SPC5</p> <p>(i) Development is to be appropriately located on site to:</p> <ul style="list-style-type: none"> • Maintain streetscape character; • Ensure the amenity of neighbouring properties is maintained; • Allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • Facilitate solar access for the development site and adjoining properties; • Protect significant vegetation; and • Facilitate efficient use of the site. <p>(ii) Variations to the Deemed-to-Comply Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>
Applicant Justification/Summary:	<p><i>"The setbacks illustrated on the submitted plan are compliant with the R-Codes for an R60 site".</i></p>
Officer Technical Comment:	<p>The portion of Richmond Street which abuts the property is curved which constrains the development design and contributes to the creation of a reduced primary street setback.</p> <p>Under the R-Codes the required front setback distance for properties zoned R60 is 2 metres. Although the applicant has met these requirements, the City's Residential Design Elements Policy (RDE) applies and requires an average setback distance.</p>

Issue/Design Element:	Street Setback
	<p>The ground floor setback variations are minor and are equal to the setback distances of the immediately adjoining properties at Nos. 123 and 129 Richmond Street.</p> <p>While the balconies' setback variations are significant they are acceptable in this instance, given that it is proposed to retain mature vegetation on site, especially the Flooded Gum Tree, which will obscure the most significant variations.</p> <p>In addition, the proposal is deemed to meet the design principles of RDE's relating to the lesser upper floor setbacks through the incorporation of varying materials and the staggered front boundary setbacks of the balconies and walls. The balconies also form an integral part of the contemporary design of the development. The balconies will provide additional surveillance on the street and provide additional northern light into the outdoor living areas.</p>

Issue/Design Element:	Lot Boundary Setbacks
Requirement:	<p>Residential Design Codes Clause 6.1.4</p> <p>Eastern boundary: Ground floor - 1.5 metres First floor - 1.5 metres/1.2 metres Second floor – 1.7 metres/1.4 metres</p> <p>Southern boundary: Ground floor - 1.5 metres First floor - 3 metres/2.1 metres Second floor – 1.4 metres/2.7 metres</p> <p>Western boundary: Ground floor – 1.5 metres</p> <p>First floor – 1.2 metres (with screening applied)/ 1.6 metres</p> <p>Second Floor – 1.4 metres (with screening applied)/ 2.6 metres</p> <p>Boundary walls:</p> <ul style="list-style-type: none"> • One side permitted • Maximum height: 3.5 metres • Average height: 3 metres • Maximum length: 2/3 of the lot boundary excluding the front setback area = 18 metres
Applicant's Proposal:	<p>Eastern Boundary: Ground floor- 1.16 metres (proposed variation of 0.34 metres) First floor – 1.16 metres (proposed variation of 0.34 metres) Second Floor – 1.16 metres (proposed variation 0.24 metres)</p>

Issue/Design Element:	Lot Boundary Setbacks
	<p>Western boundary: Second Floor – 1.27 metres (proposed variation of 0.13 metres with screening applied)</p> <p>Boundary walls:</p> <ul style="list-style-type: none"> • Two sides proposed (east and south) • Maximum and Average height of 2.4 metres • Eastern boundary wall: 6 metres • Southern boundary wall: 6.7 metres
Design Principles:	<p>Residential Design Codes Clause 6.1.4 P4.1 Buildings setback from boundaries or adjacent buildings so as to:</p> <ul style="list-style-type: none"> • ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them; • moderate the visual impact of building bulk on a neighbouring property; • ensure access to daylight and direct sun for adjoining properties; and • assist with protection of privacy between adjoining properties.
Applicant Justification/Summary:	<p><i>“The setbacks illustrated on the submitted plan are compliant with the R-Codes for an R60 site”.</i></p>
Officer Technical Comment:	<p>Boundary Setbacks: The only variations to the lot boundary setbacks are in relation to eastern and western boundaries, and whilst each floor is affected along the eastern boundary, only the second floor along the western boundary does not comply.</p> <p>In each instance the variations are minor.</p> <p>In relation to the eastern boundary variation Council approved a multiple dwelling development at No. 123 Richmond Street on 26 August 2014. This development proposes a driveway, carports and bin storage along its western boundary. The variations as part of this development to the common boundary with No 123 Richmond Street therefore will have no impact on the living spaces of the future dwellings.</p> <p>In relation to the western boundary the variation faces a wall on the boundary.</p> <p>Accordingly the proposed variations will not have a negative impact on access to direct sun and ventilation to the adjoining properties.</p> <p>Walls on the Boundary: The walls on the boundary are proposed in relation to the eastern and southern boundaries in order to accommodate the bin store enclosure.</p> <p>In relation to the eastern boundary this wall will affect the bin store for the adjoining development and a courtyard area of a proposed dwelling, while to the south the boundary wall is adjoining an extensive rear garden.</p> <p>At a maximum height of 2.4m this wall is 0.6 metres higher than would ordinarily be expected for a boundary fence and therefore will not have a negative impact on the adjoining properties.</p>

Issue/Design Element:	Roof Forms
Requirement:	<p>Residential Design Elements Policy No. 7.2.1 Clause 7.4.3 BDADC 3</p> <p>The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged.</p>
Applicant's Proposal:	Flat roof.
Design Principles:	<p>Residential Design Elements Policy No. 7.2.1 Clause 7.4.3 BDAPC 3</p> <p>The roof of a building is to be designed so that:</p> <ul style="list-style-type: none"> • It does not unduly increase the bulk of the building; • In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and • It does not cause undue overshadowing of adjacent properties and open space.
Applicant Justification/Summary:	<p><i>"The aim of the development was to create a new form of dwelling that increased density while maintaining the atmosphere already present in the street".</i></p>
Officer Technical Comment:	<p>The design of the proposed roof is contemporary. The height and bulk of the structure of a skillion roof is less bulky and of a lesser height than what would be allowed if the roof was pitched.</p> <p>A pitched roof would also result in greater overshadowing of the adjoining property than a skillion roof.</p> <p>The Richmond Street streetscape contains a mixture of roof pitch types ranging from some flat roofed dwellings to sharply pitched roofs. As such the proposed roof is considered to complement the existing built form in the area.</p>

Issue/Design Element:	Car Parking
Requirement:	<p>Residential Design Codes Clause 6.3.3</p> <ul style="list-style-type: none"> • Small (<75 square metres or 1 bedroom) = 7 car bays • Medium (75 square metres – 110 square metres) = 8 car bays • Visitors 0.25 spaces per dwelling = 5 car bays <p>Total = 20 car bays</p>
Applicant's Proposal:	21 car bays
Design Principles:	<p>Residential Design Codes Clause 6.3.3</p> <p>P3.1 Adequate car and bicycle parking provided on-site in accordance with project need related to:</p> <ul style="list-style-type: none"> • The type, number and size of dwellings; • The availability of on-street and other off-site parking; and • The proximity of the proposed development in relation to public transport and other facilities.
Applicant Justification/Summary:	Nil.

Issue/Design Element:	Car Parking
Officer Technical Comment:	<p>The number of car bays provided complies with the requirement of the Residential Design Codes although the allocation of residential and visitor bays varies.</p> <p>The applicant is proposing one car bay per residential unit despite the fact that two of the small units are not required to be provided with any car parking, and 4 visitor bays in lieu of the required 5.</p> <p>Given the close proximity of public transport opportunities along Oxford Street the requirement for one additional visitor parking bay within this multiple dwelling development is therefore not considered necessary. It is considered that the provision of 1 car bay per apartment is of more benefit than the additional visitor car parking bay.</p>

Unacceptable Variations

Issue/Design Element:	Front Fence
Requirement:	<p>Residential Design Elements Policy No. 7.2.1 SADC 13 Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level.</p>
Applicant's Proposal:	Maximum height of solid portion of wall 1.6 metres.
Design Principles:	<p>Residential Design Elements Policy No. 7.2.1 SPC 13 Street walls and fences are to be designed so that:</p> <ul style="list-style-type: none"> • Buildings, especially their entrances, are clearly visible from the primary street; • A clear line of demarcation is provided between the street and development; • They are in keeping with the desired streetscape; and • Provide adequate sightlines at vehicle access points.
Applicant Justification/Summary:	Nil.
Officer Technical Comment:	A condition is recommended to be imposed requiring that the front fence complies with the requirements of the Residential Design Elements Policy.

Issue/Design Element:	Privacy
Requirement:	<p>Residential Design Codes Clause 6.4.1 C1.1 Balconies to have a 6 metre cone of vision setback to adjoining residential properties.</p>
Applicant's Proposal:	Balconies for Units 9, 11, 14, 15 and 17 propose a reduced cone of vision setback.
Design Principles:	<p>Residential Design Codes Clause 6.4.1 P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</p> <ul style="list-style-type: none"> • building layout, location; • design of major openings; • landscape screening of outdoor active habitable spaces; and/or • location of screening devices.

Issue/Design Element:	Privacy
	<p>Residential Design Codes Clause 6.4.1 P1.2 Maximum visual privacy to side and rear boundaries through measures such as:</p> <ul style="list-style-type: none"> • offsetting the location of ground and first floor windows so that viewing is oblique rather than direct; • building to the boundary where appropriate; • setting back the first floor from the side boundary; • providing higher or opaque and fixed windows; and/or • screen devices (including landscaping fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).
Applicant Justification/Summary:	Nil.
Officer Technical Comment:	A condition is recommended to be imposed requiring that the balconies are screened to the satisfaction of the City.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Consultation Period:	23 October 2014 to 13 November 2014		
Comments Received:	Twenty-two (22) objections, one (1) letter in support, and four (4) submissions stating neither support nor objecting were received.		

Summary of Comments Received:	Officer Technical Comment:
<p><u>Appearance</u></p> <p><i>“Basically it is a block of 3 storey flats with remote car parking. The architect drawings try to make them look modern, but basically there are too many properties on too small a block of land. In my view it will appear box like and whilst it may appear okay when first built, in 5-10 years it will be an eyesore”.</i></p>	<p>The proposal has been developed to reduce the visual dominance of the long horizontal appearance of the front elevations. The design, finishes, building form and materials have all been selected to reinforce the appearance of similar surrounding developments. The provision of landscaping and the retention of the existing Flooded Gum tree and other mature trees within the site will complement and retain a portion of the existing streetscape appearance along Richmond Street.</p>
<p><u>Size</u></p> <p><i>“17 tiny properties on a block of 1377 square metres in suburbia is asking for problems. Apartment blocks are fine on major roads, but I believe the site should only be approved for townhouse style developments with 2 storeys and individual parking”.</i></p> <p><i>“Does not maintain streetscape as a 3 storey will dominate everything around it”.</i></p>	<p>The size of the development is consistent with the future zoning of the site which is proposed to be R100 under Town Planning Scheme No. 2 enabling a plot ratio of 1.25. Additionally the size of the combined blocks (in excess of 1000 square metres) increases the permitted height of the development to three storeys under the City’s Multiple Dwellings Policy.</p> <p>The design of the property takes features of the surrounding residential dwellings to ensure that it is complementary to these adjoining properties.</p> <p>In addition, the second floor has been setback from the lot boundaries to restrict its visual appearance and bulk on the adjoining properties.</p>

Summary of Comments Received:	Officer Technical Comment:
<p><u>Setbacks</u></p> <p><i>“This reduction in the distance between the buildings is going to cut the natural light and privacy to both developments”.</i></p>	<p>The design of the development has been to create four separate buildings connected to each other via covered walkways. This reinforces the pattern and scale of the built form of the surrounding similar developments and significantly articulates the building which reduces its overall bulk and will ensure that natural light and ventilation is available both on site and to the adjoining properties.</p> <p>In addition, the reduced setback distances to western boundary is adjacent to the common property driveway of the neighbouring development. The reduced eastern setbacks also run adjacent to the driveway for the recently approved multiple dwelling development at No. 123 Richmond Street. The proposed two boundary walls are acceptable.</p>
<p><u>Roof Forms</u></p> <p><i>“With a flat roof it will look like a block of flats. Not in keeping with surrounding buildings”.</i></p>	<p>The roof pitch is essential for the contemporary design of the property and assists to limit any additional overshadowing to the adjoining properties.</p>
<p><u>Landscaping</u></p> <p><i>“Trees should be kept to maintain privacy/shade in my courtyard”.</i></p>	<p>In response to the concerns raised during the community consultation process, the applicant is proposing to retain the existing Flooded River Gum tree located within 500mm of the front property boundary. The proposal has been conditioned to retain and restore the health of the tree. This will preserve a portion of the existing streetscape appearance of Richmond Street and reduce the dominance of the development along the street and to the surrounding western and southern properties.</p> <p>In addition, the two existing mature trees within the site along the western boundary are also intended to be retained.</p>
<p><u>Parking</u></p> <p><i>“There should be provision for 2 cars per apartment – certainly for the 2 bedroom apartments. Richmond Street is quite narrow and traffic is heavy at certain times. It can offer only limited parking space already allocated to neighbouring houses”.</i></p>	<p>The applicant has provided 1 car bay for each of the units as well as 4 visitor car bays. Although the applicant proposes 1 less visitor bay than required, this is acceptable as the site’s close proximity to public transport will allow alternative means of transport to travel to and from the site.</p> <p>The City does not issue parking permits for future residents and visitors for developments of this nature.</p>

Summary of Comments Received:	Officer Technical Comment:
<p><u>Visual Privacy</u></p> <p><i>“Object to the reduction of setback”.</i></p>	<p>The balconies of Units 9, 11, 14, 15 and 17 are the only openings that do not comply. The City does not support overlooking and it is therefore recommended that a condition is imposed requiring that the balconies are screened to the satisfaction of the City.</p>
<p><u>Rubbish Bins</u></p> <p><i>“There will be 34 bins to be placed there on every second week unless the development shows that waste can be collected from the rear of the site where the bins are situated”.</i></p>	<p>The bins are proposed to be collected from Richmond Street which is consistent with the waste management collection arrangements for Richmond Street and through the City. To ensure all waste generated by this development is dealt with appropriately, the applicant is required to submit and have a waste management plan approved. Once approved the applicant is required to work in accordance with this plan.</p>
<p><u>Fencing</u></p> <p><i>“This is an established residential streetscape with a mix of fencing, including visually permeable fencing from the natural ground level, therefore all new development should comply at least with the 1.2m requirement to ensure an attractive walkable streetscape, 1.6m high solid walls will start to close in the streetscape and negatively impact on amenity and walkability”.</i></p>	<p>It is recommended that a condition is imposed requiring the front fence to comply with the City’s Residential Design Elements Policy, which will bring the proposal in line with the requirements for the rest of the street where a maximum height of the solid portion of the fence is 1.2 metres and thereafter the fence is 50 percent visually permeable to a maximum height of 1.8 metres.</p>
<p><u>Water and Energy Efficiency</u></p> <p><i>“Details should be provided as to how it will be water and energy efficiently designed, it is not enough to use broad commentary in the report, there is no commitment and the design would suggest otherwise”.</i></p>	<p>The development includes passive solar design principles to create a building with a high level of thermal efficiency. The building has been designed to enable cross ventilation to all apartments. Each apartment has also been designed to utilise natural northern light and cross ventilation from natural airflow and prevailing winds.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

Design Advisory Committee:

Referred to Design Advisory Committee: Yes

Summary of Design Advisory Committee Comments:

The proposal was referred to the DAC on three separate occasions on 19 February 2014, 30 April 2014 and 2 July 2014. The full extract of the minutes of the meeting on 2 July 2014 is in Attachment 005.

The DAC was supportive of the development subject to the development of the materials palette to maintain an appropriate response to the surrounding context. This was achieved when the design was submitted to the City as a Development Application as shown in the perspectives provided within Attachment 002.

This proposal does not require Design Excellence.

LEGAL/POLICY:

The following legislation and policies apply:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes of Western Australia 2013;
- Leederville Precinct Policy No. 7.1.3.
- Residential Design Elements Policy No. 7.2.1; and
- Development Guidelines for Multiple Dwelling Policy No. 7.4.8;

RISK MANAGEMENT IMPLICATIONS:

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
The design of the building allows for adequate light and ventilation.	

SOCIAL	
Issue	Comment
The proposal provides for an increase in housing diversity and provides housing for smaller households within the City which are anticipated to grow and become a significant proportion of the households.	

ECONOMIC	
Issue	Comment
The construction of the building will provide short term employment opportunities.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Planning

While the development proposes various variations including to plot ratio, building setbacks and roof form and provision of a visitor bay, the proposed variations are acceptable.

Not only is the proposal designed to reduce the bulk and scale in order to align with the character of the area, the applicant also proposes to retain three of the existing mature trees along the boundaries of the site which will assist to integrate the development into the existing character of the area.

The development is also consistent with the intended and emerging building bulk and scale proposed under Town Planning Scheme No. 2.

The contemporary appearance of the dwellings will contribute positively to the future streetscape and redevelopment of the area.

The site is located within close proximity to the Leederville Town Centre. The location provides easy access to public transport and the shortfall of 1 visitor bay in exchange for 1 car bay per unit is acceptable.

CONCLUSION:

The proposal is considered to be acceptable. The proposed variations to plot ratio as well as street and building setbacks are appropriate given the location and future built form of the area. It is therefore recommended that the proposal is approved.

5.1.4 No. 4 (Lot 10; D/P 1657) Sekem Street, North Perth – Proposed Construction of a Three-Storey Grouped Dwelling

Ward:	North	Date:	20 February 2015
Precinct:	Smiths Lake, P6	File Ref:	5.2014.598.1; PR25358
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Applicant Justification		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by R & J James, for the proposed construction of a Three-Storey Grouped Dwelling at No. 4 (Lot 10; D/P: 1657) Sekem Street, North Perth as shown on amended plans stamp dated 9 February 2015, included as Attachment 002, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 2a & 4 Sekem Street, North Perth, in a good and clean condition. The finish of the walls is to be either fully rendered or face brickwork;

2. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Sekem Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like; and

3. **Visual Truncation**

Any structures including walls, fencing, retaining and any proposed landscaping within 1.5 metres of a driveway meeting the property along the eastern boundary must comply with the requirements for visual truncation, with a maximum height of 0.65 metres.

ADVICE NOTES:

1. With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.

PURPOSE OF REPORT:

Applications relating to three (3) storey dwellings must be referred to Council for determination.

BACKGROUND:

Nil.

DETAILS:

Landowner:	R & J James
Applicant:	R James
Zoning:	Residential R40
Existing Land Use:	Residential
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	572 square metres
Right of Way:	Yes, Western, 3.0 metres.

The application is for a proposed three (3) storey dwelling, at the rear of the existing dwelling at No. 4 Sekem Street, North Perth. The dwelling includes three (3) bedrooms, two (2) bathrooms, garage for two vehicles with access from Sekem Street and a roof terrace which is the third storey component of this proposal. The site is currently vacant with all trees removed.

The subject lot was created through the subdivision of the existing parent lot and conditionally approved by the Western Australian Planning Commission (WAPC) on 23 May 2012. As part of the conditions of subdivision approval the existing house is required to comply with the standard requirements of the Residential Design Codes. As part of this the existing house has to provide two (2) compliant car bays, a 4 square metre storeroom and 20 square metres of outdoor living area. Vehicular parking for the property is located on the southern side of the lot fronting Sekem Street. The subject development's vehicular access is proposed to be located alongside the existing lot's proposed driveway. The applicant has provided an undertaking that the existing fence between the two (2) dwellings is to be removed in order for visual truncations to be provided for both driveways.

Following the community consultation process, amended plans have been received from the applicant resulting in the following changes being made to the plans:

Amendment	Impact to Design
Reducing the roofed area on the roof terrace from an area of 60.5 square metres to 32.5 square metres.	Reduction of scale of building to the street and reduced height along the western frontage.
Relocation of the solar arrays from the roof of the roof terrace to the roof of the first floor terrace on the northern side of the building.	Reduction in the height of the building when presented to the street.
Addition of privacy screening along western boundary of the roof terrace.	Compliant privacy screening to the adjoining western properties.
A redesign of the front fencing to provide open style fencing.	Compliant front fencing in accordance with the Residential Design Elements Policy.
Bricking up of the garage wall along the eastern boundary for compliance with the Building Code of Australia (BCA).	Compliance with Building Code of Australia (BCA) requirements.
Provision of privacy screening along northern boundary of the first floor terrace for compliance with the Building Code of Australia (BCA).	Compliance with Building Code of Australia (BCA) requirements.
Reworking of the proposed storeroom width and length along northern boundary.	Additional boundary wall length of 11.4 metres from 8.87 metres, an increase of 2.53 metres. The wall abuts a blank two-storey wall of the adjoining property to the north and will not impact the property. The storeroom also faces the ROW where the proposed setback complies.

ASSESSMENT:

Town Planning Scheme/R Codes/Residential Design Element's Initial Assessment

The table below is a summary of the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1, the Residential Design Codes and the City's policies. In each instance where the proposal requires the exercise of discretion, the relevant planning element is discussed in the section of the report following from this table.

Design Element	Complies	Requires Exercise of Discretion
Density	✓	
Streetscape	✓	
Street Walls/Fencing	✓	
Dual Street Frontages		✓
Lot Boundary Setbacks		✓
Building Height	✓	
Building Storeys		✓
Roof Forms		✓
Open Space	✓	
Bicycles	✓	
Access & Parking	✓	
Privacy	✓	
Solar Access	✓	
Site Works	✓	
Essential Facilities	✓	
Surveillance	✓	

Acceptable Variations

Issue/Design Element:	Street Setbacks
Requirement:	<p>Residential Design Elements Policy SADC 10. Dual Street Frontages and Corner Sites Porch – 1.5 metres</p> <p>Building wall on ground floor – 2.5 metres</p> <p>Building walls on Upper Floor – 1.5 metres behind each portion of the ground floor setbacks (4.0 metres)</p>
Applicant's Proposal:	<p>Porch – 1.0 metre (variation of 0.5 metres)</p> <p>Building Wall on Ground Floor- 1.0 metre to 2.01 metres (variation of 0.49 metres – 1.5 metres)</p> <p>First and Second Floors – 2.01 metres (variation of 1.99 metres)</p>
Design Principles	<p>Residential Design Elements Policy SPC 10. Dual Street Frontages And Corner Sites Dwellings on dual street frontages or corner lots are to present an attractive and interactive elevation to each street frontage. This may be achieved by utilising the following design elements:</p> <ul style="list-style-type: none"> • Wrap around design (design that interacts with all street frontages); • Landscaping; • Feature Windows; • Staggering of height and setbacks; • External wall surface treatments and finishes; and • Building Articulation.

Issue/Design Element:	Street Setbacks
Applicant Justification/Summary:	<p><i>Ground level primary street setback ranges from 1.0 metre to 12 metres. The 1.0 metre setback for 6.8 metres of the 17.3 metre site frontage, steps back from the 0.9 metre side setback of the adjoining 4 Sekem Street. Examples of reduced Primary street setback of 0 metres and 1.2 metres exist on Sekem Street.</i></p> <p><i>To address the relatively shallow and wide dimensions of the site, the 2.0 metres setback of the second floor accomplishes the desired step back of the second storey from the ground floor and allows for the required solar access on the northern façade. This:</i></p> <ul style="list-style-type: none"> <i>• Facilitates more efficient use of the site;</i> <i>• Is integral with the proposed contemporary design;</i> <i>• Ensures that the building elements are adequately articulated;</i> <i>• Reflects the predominant streetscape pattern in the immediate location;</i> <i>• Provides adequate privacy and open space; and</i> <i>• Allows passive surveillance of the street.</i>
Officer Technical Comment:	<p>The proposed street setbacks to the porch, ground floor and upper floors of Sekem Street are minor and match the secondary street setback of the existing development at No. 4 Sekem Street.</p> <p>The proposed setbacks are offset by the inclusion of window openings, a variety of construction materials and open style fencing to the front of the property. These elements bring visual interest to the front of the building.</p> <p>The setback proposed for the upper storey allows for some offset from the ground floor and a break up in bulk along the street frontage.</p> <p>The building design effectively wraps around from its Sekem Street frontage to the ROW to the west, with openings, providing surveillance of the ROW.</p> <p>This section of Sekem Street is characterised by small lot two-storey dwellings. Two of these dwelling have roof terraces, with minimal primary street setbacks and garages and carports forward of the main building line. Based on these existing street characteristics, the proposed street setbacks will not detract from the existing streetscape.</p>

Issue/Design Element:	Lot Boundary Setbacks
Requirement:	<p>Residential Design Codes Clause 5.1.3 (C3.1)</p> <p><u>Ground Floor</u> Eastern boundary- 1.0 metre</p> <p><u>Boundary Walls</u> One Side Boundary Only</p> <p>Maximum Height – 3.5 metres Average Height – 3.0 metres</p> <p>Two-thirds of the length of the boundary behind the front setback – 6.4 metres</p>

Issue/Design Element:	Lot Boundary Setbacks
Applicant's Proposal:	<p><u>Ground Floor</u> Eastern Boundary – 0.405 metres – 0.5 metres (variation of 0.5 metres - 0.595 metres)</p> <p><u>Boundary Walls</u> Two side boundaries (variation of one side boundary)</p> <p><u>Boundary Walls</u> North Length – 11.12 metres (Compliant) Height – 5.5 metres (average height)/5.8 metres (maximum) (variation of 2.5/2.3 metres)</p> <p>East Length – 7.12 metres (variation of 0.72 metres) Height – 5.5 metres (average height)/5.6 metres (maximum height) (variation of 2.5/2.1 metres)</p>
Design Principles:	<p>Residential Design Codes Clause 5.1.3 (P3.1) P3.1 Buildings set back from lot boundaries so as to:</p> <ul style="list-style-type: none"> • reduce impacts of building bulk on adjoining properties; • provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and • minimise the extent of overlooking and resultant loss of privacy on adjoining properties. <p>P3.2 Buildings built up to boundaries (other than the street boundary) where this:</p> <ul style="list-style-type: none"> • makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas; • does not compromise the design principle contained in clause 5.1.3 P3.1'; • does not have any adverse impact on the amenity of the adjoining property; • ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and • positively contributes to the prevailing development context and streetscape.
Applicant Justification/Summary:	<p><i>Buildings on the Boundary</i> <i>The proposed dwelling builds on the boundary in two locations:</i></p> <p><i>The ground floor boundary construction faces the two storey windowless brick wall of the northern neighbour. The neighbouring wall is elevated from a relatively higher ground floor level and located approximately 0.9 metres from the common boundary. It is recognised that the preceding construction leaves no opportunity for northern solar access at ground level and hence the opportunity to maximise building in this area at ground level has been pursued.</i></p>

Issue/Design Element:	Lot Boundary Setbacks
	<p><i>The second floor construction on the boundary aims to accommodate the envisaged occupants main bedroom and primary living spaces on the one level. Examples of second storey construction on side boundaries exist on Sekem Street and the proposed nil setback is supported by the neighbour in 4 Sekem Street. Building on the boundary as proposed:</i></p> <ul style="list-style-type: none"> • <i>Facilitates more efficient use of the site, maximising open space;</i> • <i>Enhances amenity of the development;</i> • <i>Is integral with the proposed contemporary design;</i> • <i>Provides adequate privacy to adjoining properties;</i> • <i>Does not have a significant effect on the adjoining properties; and</i> • <i>Facilitates solar access on the northern elevation.</i>
Officer Technical Comment:	<p>The northern boundary wall has been assessed as the one permitted boundary wall as per the provisions of the Residential Design Codes and despite its two-storey height proposed will not provide any bulky impact to the adjoining property, given its location to the southern side and at the rear of the existing development which has a two-storey high blank wall.</p> <p>The eastern portion of wall, abutting the rear boundary of the adjoining property, will have no adverse impact to the adjoining property given the location of the existing dwelling over 6.0 metres from the boundary.</p>

Issue/Design Element:	Building Storeys
Requirement:	<p>Residential Design Elements Policy BDADC 5. Building Height Two (2) Storeys</p>
Applicant's Proposal:	<p>Three (3) Storeys – Roof Terrace Level (variation of one storey)</p>
Design Principles:	<p>Residential Design Elements Policy BDPC 5. Building Height Building Height to be considered to:</p> <ul style="list-style-type: none"> • Limited the height of dwellings so that no individual dwelling dominates the streetscape; • Limit the extent of overshadowing and visual intrusion on the private space of the neighbouring properties; and • Maintain the character and integrity of the existing streetscape.
Applicant Justification/Summary:	<p><i>The proposed building has a flat roof structure to the roof terrace. This mirrors the roof terraces and associated roof structure of the properties immediately across the road on Sekem Street. The proposed roof height is in keeping with the existing pitched roof buildings on the sites immediately to the north and east of the subject lot. Importantly, the roof terrace roof structure is setback from the second floor façade, diminishing the bulk and scale of the building to the primary street. The designated building height;</i></p> <ul style="list-style-type: none"> • <i>Facilitates more efficient use of the site, maximising open space;</i> • <i>Is integral with the proposed contemporary design;</i>

Issue/Design Element:	Building Storeys
	<ul style="list-style-type: none"> • <i>Integrates with building elements on the primary street elevation to provide sufficient articulation;</i> • <i>Provides adequate privacy and open space;</i> • <i>Allows passive surveillance of the street, while maintaining privacy for adjoining properties;</i> • <i>Facilitates solar access on the northern elevation; and</i> • <i>Reflects the predominant streetscape pattern in the immediate location.</i>
Officer Technical Comment:	<p>The third storey or roof terrace as proposed is primarily open to the street thereby reducing the impact of a typical three storey building. The applicant has amended the design of the roof terrace so that approximately half of the space is covered by roofing (32.5 square metres). This enables bulk and scale to be reduced from the overall height of the building.</p> <p>The proposed height of 8.7 metres is within the maximum 10.0 metre building height as permitted by the Residential Design Codes for Residential R40. It is noted that if the design were to propose a two storey development with pitched roof the actual height and scale of the development would be of a greater scale and height than what is proposed.</p> <p>The design incorporates contemporary architecture that maintains a high level of amenity to adjacent residential uses. The design also makes effective use of all available space and provides usable open space for the property at the same height than if it was a two storey pitched roofed dwelling.</p> <p>The dwellings opposite at Nos. 15 and 17 Sekem Street also include roof terraces, which despite being smaller than the current proposal do provide examples of similar development in the area.</p>

Issue/Design Element:	Roof Forms
Requirement:	<p>Residential Design Elements Policy BDADC 3. Roof Forms Roof pitches between 30 degrees and 45 degrees</p>
Applicant's Proposal:	Concealed roof 2 degrees (variation of 28 degrees to 43 degrees)
Design Principles:	<p>Residential Design Elements Policy BDPC 3. Roof Forms The roof of a building is to be designed so that:</p> <ul style="list-style-type: none"> • It does not unduly increase the bulk of the building; • In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and • It does not cause undue overshadowing of adjacent properties and open space.
Applicant Justification/Summary:	<p><i>The proposed development is three storeys in height, with the third storey being a semi-enclosed roof terrace, with its roof carrying a photo-voltaic array and solar hot water system. This reflects similar adjacent developments that include third storey roof terraces of compatible scale and ensuring the proposed development will not dominate the streetscape.</i></p>

Issue/Design Element:	Roof Forms
Officer Technical Comment:	The proposed roof is of a lower scale and size than would otherwise be proposed from a pitched roof. In this section of Sekem Street, the proposed roof pitch is not out of style with the evolving streetscape character.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Consultation Period:	1 December 2014 – 15 December 2014
Comments Received:	Three (3) Objections and One (1) Comment of Concern

Summary of Comments Received:	Officer Technical Comment:
<p><u>Parking</u></p> <p>Loss of car parking bays on street.</p>	<p>The existing paved area is an extension of the right-of-way and has not been designed to accommodate parking for vehicles. They required crossover for the new development will therefore not result in the loss of car parking.</p>
<p><u>Design of Dwelling</u></p> <ul style="list-style-type: none"> • The style of the dwelling utilising cedar cladding is not in keeping with the streetscape or the design of surrounding homes. • The dwelling does not present an attractive and interactive elevation to the street frontage. 	<p>The proposed dwelling presents an alternative form of design in the street frontage to Sekem Street which is characterised by a variety of architectural styles.</p>
<p><u>Building Height</u></p> <ul style="list-style-type: none"> • The third storey should not be fully enclosed. • Other dwellings in the area do not have three storeys. <ul style="list-style-type: none"> • The solar panels add additional height to that proposed along the street. 	<p>The third floor roof terrace has been amended by the applicant with the roofed area reduced from 60.5 square metres to 32.5 square metres, leaving the remainder of the floor space open with only privacy screening provided to ensure overlooking is compliant. The roof terrace itself is located in the middle of the lot and its flat roof reduces the scale to the street.</p> <p>The solar panels, originally proposed on top of the roof terrace, have been relocated to the first floor roofing facing north. This has reduced their visual impact to the street and concealed their location, addressing this concern.</p>
<p><u>Roof Forms</u></p> <p>The design of the dwelling's roof does not complement the existing streetscape.</p>	<p>This section of Sekem Street includes a variety of pitched and skillion roof types and the proposed roof form will add to this mix of styles.</p>

Summary of Comments Received:	Officer Technical Comment:
<p><u>Street Setbacks</u></p> <ul style="list-style-type: none"> • Setbacks are inadequate given the street is essentially a single lane road. • All other dwellings along Sekem Street are setback adequately in comparison to that proposed. 	<p>Although the development proposes variations to the street setbacks, they are minor setbacks and will not impact the existing streetscape.</p> <p>The setbacks provided by the dwellings opposite the subject site are from 1.0 metre (carport) to 3.0 metres (dwelling). These setbacks align with the proposed development.</p>
<p><u>Building Setbacks</u></p> <ul style="list-style-type: none"> • Concern setbacks will block light and increase overshadowing. • The visual impact and appearance will dominate adjoining properties. • Impact to provision of light and ventilation. 	<p>Only two properties, located along the northern and eastern side of the subject site, are affected by this proposal. Both properties are orientated away from this development.</p> <p>In both instances the reduced setbacks will not have a negative impact on the adjoining properties.</p> <p>The designation of the dwelling as a “three storey” dwelling is somewhat misleading as the proposed roof terrace provides a far reduced scale than a typical three storey building or a two storey building with pitched roof would. In addition to this the revised amount of roofing cover to the roof terrace and the relocation of the solar arrays reduces the visual impact of the building to surrounding properties.</p> <p>Due to the location of the lot on the south-eastern side of the adjoining properties, there will be no impact to the provision of light and ventilation to the adjoining properties.</p> <p>On the northern side of the property the proposed building abuts the two storey blank wall.</p> <p>On the eastern side the rear yard area of the adjoining lot ensures that there is no impact to the neighbouring dwelling, which is located 6.5 metres from the boundary.</p>
<p><u>Boundary Wall</u></p> <ul style="list-style-type: none"> • The building walls will impact the adjoining properties and the amenity of the streetscape. 	<p>The boundary walls are located on the northern and eastern boundaries. There will therefore not be any overshadowing of adjoining properties. The boundary walls also allow for efficient use of the block given the small lot area.</p>

Summary of Comments Received:	Officer Technical Comment:
<ul style="list-style-type: none"> Concern of potential damage to property from construction of parapet wall. 	<p>In the event of approval, the applicant/builder is required to provide compliant building plans and a Construction Management Plan to ensure any proposed works on the boundary are structurally sound and do not impact the adjoining properties.</p> <p>The builder/adjoining owners may also conduct a dilapidation report to establish a base line of the condition of the existing structures before construction.</p>
<p><u>Street Walls and Fences</u></p> <p>The solid portions of fencing will impact sightlines of vehicles at the western end of Sekem Street and the ROW.</p>	<p>The applicant has provided the undertaking to ensure that the visual truncation requirements of the City and, it is recommended that a condition in this regard is imposed.</p>
<p><u>Privacy</u></p> <p>Concern of overlooking from Roof Terrace.</p>	<p>The applicant has amended the proposed plans on the roof terrace level to introduce visual privacy screens along the western facade for compliance with the privacy requirements of the Residential Design Codes of WA 2013.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

Design Advisory Committee:

Referred to Design Advisory Committee: No

LEGAL/POLICY:

The following legislation and policies apply to the partial demolition and construction of a three-storey grouped dwelling at No. 4 Sekem Street, North Perth.

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes of WA 2013;
- Smiths Lake Precinct Policy No. 7.1.6; and
- Residential Design Elements Policy No. 7.2.1.

RISK MANAGEMENT IMPLICATIONS:

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

The City’s Strategic Plan 2013-2023 states:

“Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice”.

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
The development will assist in offsetting urban sprawl and associated negative impacts.	

SOCIAL	
Issue	Comment
The development contributes positively to the social sustainability of the area by increasing density, social mix and the diversity of dwelling types.	

ECONOMIC	
Issue	Comment
The development will make use of existing infrastructure and services available in an already built-up area, avoiding the cost of new infrastructure associated with greenfield developments. The construction will also provide jobs for the local construction community.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Technical Services

The City’s Technical Services have noted that the subject site is bounded by two right-of-ways on the western and southern boundary and may have difficulties accessing services.

Planning

The property is located in a street which is primarily characterised by dwellings of a minimum height of two (2) storeys and includes some dwellings with roof terraces above, directly opposite the subject site. This highlights that the proposed dwelling’s scale is not out of context with the street. The lot is tucked away in the back corner of the street in a concealed part of this area.

The design of the dwelling itself makes use of the limited available space on site by implementing a “top down” approach with the main living areas being located on the first floor with roof terrace above.

The third level roof terrace has been designed in a way to complement the existing streetscape. The roof terrace complies with privacy requirements and with the revised plans proposing to reduce the area of roofing to approximately half the floor area, the bulk of the building has been reduced. It is noted that if the dwelling incorporated a two storey height and pitched roof design the bulk and scale would have a greater impact to the street and adjoining properties.

The dwelling itself features a number of design inclusions which bring interest to the street including a variety of construction materials (cedar cladding/trimdeck roofing) and significant window openings. The dwelling includes habitable areas on the upper levels which are exposed to natural light and open to ventilation allowing for a sustainable design.

The proposed variations to street setbacks, lot boundary setbacks and roof forms as noted above are workable features of the development given the location of the lot on the southern and western side of two adjoining properties and a road/right-of-way.

CONCLUSION:

The proposed building height, street setbacks and scale of the proposed dwelling will not adversely impact the existing streetscape due to the location of the proposed dwelling at the rear of an existing house abutting a right-of-way.

Overall the proposed development is deemed acceptable and it is recommended that the proposal is approved subject to relevant conditions and advice notes.

5.1.5 Draft Car Sharing Policy

Ward:	Both Wards	Date:	20 February 2015
Precinct:	All Precincts	File Ref:	SC1677
Attachments:	001 – Draft Car Sharing Policy		
Tabled Items:	Nil		
Reporting Officer:	A Marriott, Sustainability Officer J O’Keefe, A/Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, **AUTHORISES** the Chief Executive Officer to advertise the draft Car Sharing Policy – Policy No. 7.7.2 as shown in Attachment 001 – pursuant to Clause 47 of the City’s Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 relating to Community Consultation.

PURPOSE OF REPORT:

To present the draft Car Sharing Policy for Council’s consideration and seek authorisation to advertise the draft Policy.

BACKGROUND:

Car sharing schemes are growing in popularity in cities around the world, including Sydney, Melbourne and Brisbane. Studies released in 2014 by the Royal Automobile Club (RAC) of Western Australia and by independent traffic consultants found that such schemes would likely succeed in the City of Vincent based on current urban density, availability of public transport, the City’s demographics and intent expressed by surveyed residents to participate in car sharing.

History:

Date	Comment
28 May 2014	A car share provider approached the City seeking support to commence a car sharing scheme.
24 June 2014	A Car Sharing Policy was requested following a Notice of Motion.
15 July 2014	A car share industry representative addressed a Council Forum, explaining the benefits associated with car sharing schemes.
27 January 2015	An overview of the draft Policy was presented to a Council Forum for discussion and review.

Previous Reports to Council:

Nil.

DETAILS:

Car sharing provides an alternative to private vehicle ownership. When implemented, a network of vehicles in strategic locations complements public and active transport and reduces parking pressures and traffic congestion. Key features of a car sharing scheme include:

Feature	Reason
One dedicated permanent space per share vehicle, with each car returned to its allocated space at the end of every booking.	Reliability of location and familiarity of vehicles increases member confidence and maintains membership base.
Car share bays located close to the homes and businesses of members who use the service, typically in high-density residential areas with good access to public transport.	Convenience, accessibility and safety for users, while avoiding competition for high-turnover short-term parking spaces in busy service and commercial areas.
Normal fees and parking restrictions applicable to share cars outside their dedicated space.	Prevents share cars being used as a cheaper alternative to public transport.
Fee per trip based on booking duration and trip distance.	Keeps booking durations short, maximising availability to other users and prevents car share being used as a cheaper alternative to public transport where free parking is available.

Policy Research

In developing the draft Car Sharing Policy, Administration undertook extensive research on how other cities approach car sharing schemes.

Lessons learnt include:

1. The setting of targets rather than upper limits on the number of car share spaces.
2. The assessment of new operators against eligibility criteria before car share space allocations are considered.
3. Each approved car share company enters into an agreement with the local authority, which includes a schedule of allocated car share spaces as an Appendix. This schedule is updated as spaces are reviewed and changed.
4. Local authorities generally accept foregoing parking revenue, only charging for car space marking and a portion of the administration costs.
5. Regular reports provided by car share operators are used in an annual review of car share allocations.
6. When applying for additional spaces, operators must demonstrate demand and nominate specific spaces.
7. Applications for new spaces are assessed by a traffic committee and the community is consulted prior to approval. Spaces are sometimes allocated in different locations to those requested if the proposed locations are unsuitable.

Key Elements of the draft Car Sharing Policy

The draft Car Sharing Policy shown in Attachment 001 contains several parts summarised as follows:

Section 1 – Intended Outcomes

This section describes the benefits expected to accrue with successful implementation of car sharing schemes.

Section 2 – Eligibility to Operate

This section specifies the eligibility requirements car share providers are expected to meet prior to applying to the City for on-street and public car parking spaces.

Section 3 – Allocation and Approval of Car Share Spaces

This section outlines the different scenarios in which car sharing schemes may be contemplated and broadly identifies the administrative process applicants should follow. The scenarios include:

- On-street parking space
- Public car parks
- Private car parks
- Existing private developments
- New private developments

On-street and in public car parks

Commercial car share operators serving the wider community require on-street and public car park spaces in order to form a viable network. Such operators will necessarily undergo the City's approval process in accordance with Section 2 of the draft Car Sharing Policy.

Approved operators will be allocated on-street and public car park spaces through the process described in Section 3 of Appendix 1 of the draft Car Sharing Policy. This involves:

- The nomination of specific spaces by the applicant;
- Engineering assessment by the City's Technical Services;
- Consideration of impacts on parking and travel behaviour by the City's Ranger Services and TravelSmart Officer;
- Consultation of residents and businesses within 200 metres;
- Negotiation with the applicant to identify alternative spaces if required; and
- Approval of requested or alternative spaces.

Existing Private Car Parks and Developments

The use of parking bays in private car parks and developments for the purpose of car sharing is subject to development approval. The car park owner, strata body or equivalent owners' representative must therefore submit a planning application to the City's Planning Services to ensure the lawful allocation of bays to car sharing.

Following assessment, the City may approve the use of car share bays with or without conditions or refuse the application. Upon approval, the car park owner or strata body in conjunction with the car park operator where applicable, will be free to allocate the approved car share space/s to an operator of their choice.

As the key objective of car sharing is to offset private vehicle ownership, surplus resident or commercial parking bays should be allocated for car sharing in the first instance. However, where there are no such surplus bays, the use of visitor bays may be considered.

The City's Town Planning Scheme No. 1 and Policy No. 7.7.1 relating to Parking and Access do not include provisions for car sharing.

The draft Car Sharing Policy is guided by the ratio of visitor bays allocated to car share spaces in the precedent set by the Metro West Development Assessment Panel (DAP) at its 10 December 2014 meeting, which approved one (1) car share space where there are five (5) visitor bays provided. However, as this requirement precludes the majority of developments from providing car share spaces, Council may wish to lower the above ratio.

Following assessment and subsequent approval, the strata body, in conjunction with property managers where applicable, can allocate the approved car share space/s to a car share operator of their choice or establish an internal car share scheme serving the residents of the development.

New Developments

As the use of parking bays in private developments for the purpose of car sharing is subject to development approval, developers intending to provide on-site car share spaces must include this in the planning application.

New developments must comply with the City's Policy No. 7.7.1 – Parking and Access. As the key objective of car sharing is to offset private vehicle ownership, surplus resident or commercial parking bays should be allocated for car sharing in the first instance. Where there are no such bays provided, the use of visitor bays may be considered as for existing developments.

Following the establishment of a strata body (or equivalent owners' group), this body becomes responsible for the management of approved car share spaces.

Section 4 – New Entrants

This statement confirms that all applicants will be assessed according to the same criteria and that approval will not be limited to established car share operators.

Section – 5 Promotion

This section provides a commitment to promote the uptake of car sharing by the community. It is envisaged that such promotion will occur via all the normal media channels used by the City including print, electronic and social.

Section 6 – Enforcement

This section states that the City's Rangers will enforce the exclusive use of car share spaces by car share operators in areas where parking patrols normally operate. Any private vehicle parking in these spaces may be infringed, with resulting revenue going to the City.

Section 7 – Consultation

This section outlines how the local community and businesses will be consulted about the location of car share spaces that may affect them.

Appendix 1 – Guidelines for Car Share Providers

Appendix 1 of the draft Car Sharing Policy sets out the Guidelines for Car Share Providers seeking to operate on-street and in public car parks. Key elements of the Guidelines include:

Approval of Car Share Providers

Car share providers seeking to locate on-street and in public car parks must satisfy certain eligibility criteria prior to receiving approval from the City to commence operating. The criteria are designed to ensure that public car parking spaces are allocated only to operators with the financial, organisational and technological capacity to establish, maintain and grow a convenient, safe and reliable network of cars and associated services.

The process for approval of car share providers involves:

- Submission of an application addressing the eligibility criteria shown in Appendix 1 of the draft Car Sharing Policy with relevant supporting documentation;
- Assessment by the City's Administration;
- Submission of additional material if required by the Administration;
- Approval or rejection as appropriate.

Prospective operators may submit an application for the allocation of on-street and public car park spaces at the same time as applying for approval to operate. However, the application for spaces will be assessed only after approval of the operator. This staged approval process avoids unnecessary assessment of car share spaces for operators that cannot meet eligibility criteria.

Following the initial allocation of spaces, operators will be required to enter into an agreement with the City, setting out both parties' obligations and the terms of use for all current and future car share spaces.

Approval of On-Street and Public Car Park Space for Car Sharing

This section of the Guidelines provides an overview of the approval process for the allocation of car share spaces, which was discussed earlier in this report. The same approval process applies each time a car share provider seeks the allocation of new spaces.

Each allocated space will be added to a schedule of spaces appended to the car share provider's agreement. The use of an appended schedule avoids the need to amend the original agreement with each subsequent addition or removal of car share spaces.

Obligations and Responsibilities of Approved Car Share Providers

Car share providers must meet ongoing obligations in order to continue operating on streets and in public car parks. These obligations are designed to:

- Gauge the efficiency of use of public parking space by car share vehicles;
- Help prioritise allocation of additional spaces in areas of greatest demand;
- Provide information about the effectiveness of car sharing in offsetting private vehicle use by residents and businesses;
- Hold operators to high standards of services provision to the community; and
- Keep environmental impacts to a minimum.

Quarterly reporting will allow the City to track the performance of approved operators and to request adjustments throughout the year. Car share space allocations can be reviewed annually based on the performance and responsiveness of car share providers over the previous four quarters.

Management of Car Share Spaces

The terms governing allocation, relocation, renewal and withdrawal of car share spaces by the City for approved car share providers are set out in this section.

Management of the operation of car share spaces is the responsibility of the car share provider. Any removal, relocation, change or maintenance work in relation to existing car share spaces must not occur without the full involvement of the City.

Recovery of Costs by the City

There are a number of costs to the City associated with the approval and support of car sharing schemes. The extent to which the City chooses to recoup such costs from car share providers is to be confirmed by Council. The estimated costs and options for recovery are outlined and discussed under 'Financial/Budget Implications'.

CONSULTATION/ADVERTISING:

The City's Community Consultation Policy No. 4.1.5 requires an advertising period of 28 days.

The advertising of this draft Policy will comprise the following:

- Advert in local paper;
- Notice on the City's website;
- Copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre;
- Direct consultation with those who have expressed an interest in establishing car share schemes or the intention to apply for car share spaces within developments.

LEGAL/POLICY:

Clause 47 of the City's Town Planning Scheme No. 1 empowers Council to make local planning policies which are to:

- a) Relate to an aspect or aspects of development control or any matter relevant to this Scheme; and
- b) Apply to all or part of the Scheme area.

The advertising of draft policies is pursuant to Section 3 of Clause 47.

RISK MANAGEMENT IMPLICATIONS:

The City requires a Car Sharing Policy to inform car share operators, developers and property owners about the City's stance on car sharing and to guide the approval, allocation and management of car share schemes and car share spaces. The absence of a Car Sharing Policy is currently inhibiting car share providers to develop local car share schemes and leaves the City's Planning Services without guidance for the approval of car share spaces in private car parks and developments.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"1.1 Improve and maintain the natural and built environment and infrastructure

1.1.5 Take action to improve transport and parking in the City and mitigate the effects of traffic."

SUSTAINABILITY IMPLICATIONS:

The City's Sustainable Environment Strategy 2011 – 2016 states:

“3. *Encourage, empower and support the City's community to live in and environmentally sustainable manner*

L. *Promote responsible consumption that has a reduced environmental impact.”*

The following tables outline the applicable sustainability issues for this Policy:

ENVIRONMENTAL	
Issue	Comment
	Car share users drive shorter distances and less often than private vehicle owners. In addition, share cars produce fewer emissions than the average vehicle they replace, and they typically replace several privately owned vehicles each. This means better air quality for local neighbourhoods and reduced global warming potential for the wider environment.

SOCIAL	
Issue	Comment
	Each car share vehicle is expected to replace up to twelve privately owned vehicles, resulting in reduced congestion, safer roads and more efficient use of parking space. As car share users choose public and active transport more often than private vehicle owners, they also benefit from the physical activity and increased social interaction that accompanies these modes of transport.

ECONOMIC	
Issue	Comment
	As the costs associated with each share car are divided among numerous users, the annual saving per car share user compared with private vehicle ownership adds up to thousands of dollars. Modelling completed by the City of Sydney in 2012 revealed that financial costs incurred by the City through its support of car sharing schemes was outweighed 19:1 by the resulting savings to its wider community.

FINANCIAL/BUDGET IMPLICATIONS:

Below is a summary of the estimated costs to the City for each on-street and public car park space allocated to car sharing:

Reason for cost	Estimated cost to the City
Approval of car share provider	\$200
Approval of car share spaces (including community consultation)	\$400
Space marking & signage of cars share spaces	\$800
Making good of space after cessation of use by car sharing	\$700
Annual review of allocation of car share spaces	\$100
Potential loss of parking revenue to car sharing in ticketed areas	~\$22 per space per day ~ \$6,800 per space per year

Benchmarks

Below are three car share cost recovery benchmarks provided by other cities.

City of Sydney

With a target of six hundred (600) on-street car share spaces, the City of Sydney fully subsidised the first one hundred (100) spaces to facilitate the successful establishment of car sharing schemes. Fees are subsequently introduced and gradually increased to a level that is considered appropriate for supporting car sharing without providing excessive subsidies to for-profit companies. These are as follows:

- \$400 Administration fee to partially cover approval and community consultation costs for new car share spaces;
- \$1,850 line marking and signage fee per car share bay;
- Variable charge equating to full cost recovery of making-good car share spaces at end of life;
- \$25-\$100 annual parking permit fee per space to allow share cars to be parked nearby if their dedicated space is occupied upon return.

The City of Sydney has minimised the loss of parking revenue by prioritising un-ticketed parking spaces for car sharing.

City of Melbourne

There are two hundred and five (205) on-street car share spaces in the City of Melbourne. Twenty one (21) spaces, located within the Hoddle Grid of the central business district, are subject to an annual fee, which is negotiated privately with the operator.

The City of Melbourne has fewer un-ticketed bays available for car sharing than the City of Sydney and therefore has a significant number of car share bays in ticketed areas. The estimated revenue forgone in these areas is \$15,000 per space per year. The City of Melbourne continues to bear this cost along with all administrative and space marking costs.

City of Fremantle

Car sharing is yet to commence in Fremantle and the City is still to set appropriate fees and charges for cost recovery. However, the City of Fremantle's Car Share Policy states: *"Car share operators will be required to make a contribution to annual fees for allocated parking spaces as the allocation of the spaces significantly impacts the City's revenue base. Fees will be reviewed on an annual basis."* The Policy also notes that state taxes applicable to some parking spaces will be payable by the car share operator.

Options for cost recovery by the City of Vincent:

The draft Car Sharing Policy has been worded in such a way that it allows for fees and charges to be set following its adoption. Council is therefore not required to make a decision relating to cost recovery at this time. Following consultation about this policy, at the adoption stage, Council will be requested to authorise the updating of the City's Schedule of Fees and Charges in accordance with its final resolution.

Option	Cost Recovery	Benefits	Risks
1.	Recovery in part or as a whole of costs to the City via application fees, space marking fees and annual renewal fees - (similar model to on-road café fees and charges)	Minimises financial impact on the City	Raises cost barriers for car share providers; Adds administrative complexity to approval and renewal processes; Passing on of costs may reduce membership uptake.

Option	Cost Recovery	Benefits	Risks
2.	Recovery only of space marking and making-good costs via a single payment upon approval of spaces.	Recovers a significant share of the City's costs; Reduces administrative complexity.	Imposes some cost barriers on car share providers; Passing on of costs may reduce membership uptake.
3.	No recovery of costs.	Removes cost barriers to car share providers; Keeps fees low for car share users.	Ratepayers may object to high level of subsidy for commercial operators.

Where car share bays are located in the Perth Parking Management Area, it is proposed that the applicable levy be passed onto the car share provider regardless of which recovery option is selected for other costs.

Administration recommends Option 1 as the preferred means of cost recovery, however, Council may consider fully subsidising an initial number of car share spaces to ensure successful establishment before introducing fees to recoup selected costs.

Council may also prioritise non-paid parking spaces for allocation and consider allocating paid spaces only where there is a clearly demonstrated need and no suitable un-paid space available within 400 metres (walking distance).

To provide an indication of the number of car share spaces the City may expect to support in future, modelling prepared by one car share provider in 2014 is presented below:

- Ultimate take-up of car sharing expected to be seven (7) to ten (10) percent of residents (around 2,500 members);
- Ultimate number of share vehicles expected to reach 85, including vehicles located in private developments;
- Initial on-street and car park allocation that would be sought from the City by this particular operator – six (6) to eight (8) cars;
- With the City's support, growth in membership would be expected to be around fifty (50) percent per year.

The draft Car Sharing Policy has been worded in such a way that it allows for fees and charges to be set following its adoption. Council is therefore not required to make a decision relating to cost recovery at this time.

COMMENTS & CONCLUSION:

Three (3) prospective operators have contacted the City in the past year seeking to know its stance on car share schemes and expressing interest in establishing operations once the City has the required approval and allocation processes in place. If Council supports the introduction of car sharing in the City, a Car Sharing Policy will be required to guide the orderly approval and allocation of car share providers and car share spaces.

The draft Car Sharing Policy addresses the orderly allocation and management of car share spaces on public and private land and sets out the proposed terms of agreement between the City and prospective car share operators. It is recommended that the draft Policy be advertised for public comment.

5.1.6 Desired Future Building Height Limits on Major Roads

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC2027
Attachments:	001 – Building Height Comparison		
Tabled Items:	City of Vincent Building Heights Plan		
Reporting Officer:	J O’Keefe – Acting Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	G Poezyn – Director Planning Services		

OFFICER RECOMMENDATION:

That Council:

1. ENDORSES:

1.1 the following position statement on desired future building height limits on lots outside nominated District Centres with proposed codings under draft Town Planning Scheme No. 2 (TPS2) of R100 and above:

Street	Maximum permitted	Proposed additional height (Variation Policy)	Special Conditions	Heights if special conditions are met
Charles Street	3	1	Ability to achieve R100 under proposed TPS 2: <i>A minimum site area of 2,000m² must be achieved for R100.</i>	4 plus 1
Fitzgerald Street	3	1	Ability to achieve R100 under proposed TPS 2: <i>A minimum site area of 2,000m² must be achieved for R100.</i>	4 plus 1
Lord Street	4	1	N/A	N/A
Newcastle Street	5	1	N/A	N/A
Oxford Street	4	1	N/A	N/A

1.2 that this position statement is used in the assessment of future development applications and that it be made available to the public and third party decision makers; and

2. NOTES that the building height:

2.1 provisions of the Residential Design Codes and Precinct Policies remain the principle guiding documents for building heights across the City; and

2.2 variations are capped at a maximum of one additional storey to the permitted height under the planning document.

PURPOSE OF REPORT:

To present Council with a report on desired building heights on major roads in the context of the City’s draft TPS2 and the existing local planning policy framework.

BACKGROUND:

A Notice of Motion was endorsed by Council on 10 February 2015 requesting that Administration provides a report to Council on the approach and methodology behind future building heights on the City's major roads.

Since the final adoption of TPS2 by Council in November 2014, the City is seeing more development applications that not only align with the increased coding on these corridors but also apply the City's *Policy No. 7.5.11 – Exercise of Discretion for Development Variations* (the Variations Policy) in order to achieve building heights beyond the limits envisioned by Council.

The Variations Policy was adopted by Council in 2012 to establish a framework to assess developments that exceeds the building height limits set by the relevant local planning policy. The purpose of the policy is to allow the City to consider greater heights in exchange for excellent design.

Given the City's current position in a transition between Town Planning Schemes No. 1 and No. 2, the City's existing policy framework creates a policy environment where there is a misalignment between community/Council expectation and what developers are proposing.

DETAILS

Administration has therefore formulated a position statement for permitted heights along Charles, Fitzgerald, Lord, Newcastle and Oxford Streets.

This is based on overarching changes to the policy framework as outlined in the item relating to '*Review of Planning Policy Framework*' on this Agenda, which also includes the following recommended changes to the Variations Policy:

- Reduction of Permitted Height Variation Limits;
- No Height Variations for land that adjoins Properties Coded R30; and
- Restriction of Height Variations on Residential Zoned Land.

The changes also impact on other major roads in the City which is reflected in Attachment 001. The position statement for Charles, Fitzgerald, Lord, Newcastle and Oxford Streets has been extracted from this table.

LEGAL/POLICY:

The City's current local planning framework comprises the following (*inter alia*):

- Town Planning Scheme No. 1;
- Individual Precinct Policies;
- Policy No. 7.2.1 – Residential Design Elements;
- Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings;
- Policy No. 7.5.11 – Exercise of Discretion for Development Variations; and
- Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use.

RISK MANAGEMENT IMPLICATIONS:

There is no risk to the City to have a position statement on expected future heights along selected roads.

COMMENTS & CONCLUSION:

This Statement will have a positive impact as it clearly articulates the City's position which will aid to guide developers.

5.1.7 Review of Planning Policy Framework

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC2027
Attachments:	<p>001 – Draft Leederville Precinct Policy No. 7.1.1 002 – Draft North Perth Precinct Policy No. 7.1.2 003 – Draft Perth Precinct Policy No. 7.1.3 004 – Draft Mount Lawley/Highgate Precinct Policy No. 7.1.4 005 – Draft Mount Hawthorn Precinct Policy No. 7.1.5 006 – Draft Policy No. 7.1.6 – Development Requirements and Building Design 007 – Summary of Draft Policy 008 – Summary of Changes to Precinct Policies 009 – Review Framework of Residential Design Elements Policy 010 – Current Policy No. 7.2.1 – Residential Design Elements 011 – Current Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings 012 – Current Policy No. 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments 013 – Current Policy No. 7.5.11 – Exercise of Discretion for Development Variations</p>		
Tabled Items:	N/A		
Reporting Officer:	J O’Keefe, A/Manager Strategic Planning Services Sustainability and Heritage Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council **AUTHORISES** the Chief Executive Officer to advertise the following policies pursuant to Clause 47 of the City’s Town Planning Scheme No. 1 (TPS1) and the City’s Community Consultation Policy No. 4.1.5:

1. **Draft Precinct Policy Nos. 7.1.1 – 7.1.5 as per Attachments 001 – 005;**
2. **Draft Policy No. 7.1.6 – Development Requirements and Building Design, as shown in Attachment 006; and**
3. **The intent to rescind existing Policies No. 7.2.1 – Residential Design Elements, No. 7.4.8 – Development Guidelines for Multiple Dwellings, No. 7.5.11 – Development Guidelines for Commercial and Mixed Use Developments and No. 7.5.12 – Exercise of Discretion for Development Variations, as shown in Attachments 010 – 013.**

PURPOSE OF REPORT:

To request that Council provides consent to advertise:

1. Draft Policy No’s.
 - 7.1.1 – Leederville Precinct Policy;
 - 7.1.2 – North Perth Precinct Policy;
 - 7.1.3 – Perth Precinct Policy;
 - 7.1.4 – Mount Lawley/Highgate Precinct Policy;
 - 7.1.5 – Mount Hawthorn Precinct Policy; and
 - 7.1.6 – Development Requirements and Building Design; and

2. The intention to rescind the following policies:

- 7.2.1 – Residential Design Elements;
- 7.4.8 – Development Guidelines for Multiple Dwellings;
- 7.5.11 – Exercise of Discretion for Development Variations; and
- 7.5.12 – Development Guidelines for Commercial and Mixed Use Developments.

BACKGROUND:

At a special meeting of Council on 18 November 2014, following the adoption of the City's Town Planning Scheme No. 2 (TPS2), Council resolved for Administration to review the City's planning policies.

The resolution stipulates that the reviewed policies are to be presented to Council by the following dates:

January 2015 - Residential Design Elements Policy;
- Variations Policy;
- Multiple Dwellings Policy.

February 2015 - Draft Precinct Policies.

The matter is being presented to the March Council meeting to allow sufficient time for Administration to present the preliminary findings of the review to the February Council Member Forum prior to formally receiving consent to advertise the draft policy.

Combined, these policies contain many of the planning requirements applicable to development within the City.

A comprehensive review of the City's Residential Design Elements policy has also been underway concurrently to this process by an external consultant. The outcome of this review has now been provided to the City and has been included as Part 5 of Draft Policy No. 7.1.6.

Further explanation of this review is provided in the details section of this report.

History:

Date	Comment
28 October 2008	Council adopted the Multiple Dwellings Policy to provide guidance on the increasing number of multiple dwelling developments within the City and to augment elements of the R Codes as appropriate.
20 November 2012	Council adopted the Variations Policy to establish an incentive based approach in the assessment of height variations for developments.
25 June 2013	Council adopted the Commercial & Mixed Use Development Policy to guide non-residential development across the City, particularly in the town centres and surrounding areas.
3 December 2013	Draft Precinct Policies were endorsed by Council to assist the advertising of TPS2.
18 November 2014	The City's Local Planning Strategy and TPS2 adopted by Council.
9 December 2014	Elected Members were presented with the preliminary outcomes of the review of these policies at a Council Member Forum. The recommended approach and structure of the new policy was introduced including a brief discussion on some of the new elements of the policy and key changes to existing policies.
27 January 2015	A briefing was held with Elected Members at a Council Member Forum to discuss the content of the draft policy.

DETAILS:

The outcome of the review has been to create a new Policy No. 7.1.6 – Development Requirements and Building Design which consolidates a number of local planning policies. This is a single, user friendly document that centralises development standards and will assist to reduce the risk of misinterpretation of the City's expectations for new development.

The policies subject to this review and included in Draft Policy No. 7.1.6 are:

- Policy No. 7.2.1 – Residential Design Elements;
- Policy No. 7.4.8 – Development Guidelines for Multiple Dwellings;
- Policy No. 7.5.11 - Exercise of Discretion for Development Variations; and
- Policy No. 7.5.12 - Development Guidelines for Commercial and Mixed Use Developments.

In addition, all five, draft precinct policies have also been reviewed including:

- Leederville Precinct Policy;
- North Perth Precinct Policy;
- Perth Precinct Policy;
- Mount Lawley/Highgate Precinct Policy; and
- Mount Hawthorn Precinct Policy.

A new approach to Development: Draft Policy No. 7.1.6 – Development Requirements and Building Design

With the objective to create a planning policy framework that is intuitive, equitable and conveys a clear vision to the community and third party decision makers a new approach has been adopted whereby this policy propose a shift in the way in which some development requirements are assessed within the City.

Divided into six 'Parts', the draft policy will become the primary planning policy guiding general development standards within the City. Each part relates to standards applicable to different development type and includes:

- Part 1 – Building bulk and size
- Part 2 – Variations to Development Standards
- Part 3 – Commercial and Mixed Use Development
- Part 4 – Transition Sites
- Part 5 – Single Houses and Grouped Dwellings
- Part 6 – Multiple Dwelling Development
- Appendices

Key elements of this new approach includes that Policy No. 7.1.6:

- a) Seamlessly integrates with the R Codes, specifically Part 5 relating to single houses and Part 6 relating to grouped dwellings and multiple dwelling developments;
 - b) Centralises building height provisions and identifies height variations that can be considered by Council;
 - c) Reduces height variations by one storey to that permitted in the current policy;
 - d) Includes new provisions relating to capping plot ratio variations;
 - e) Includes a new assessment column, 'Not Accepted';
 - f) Uses an innovative new development setback matrix to establish building envelopes floor by floor and by lot size with a sliding scale depending on the zoning and size of adjoining properties;
 - g) Is responsive to adjoining dwellings located on lower zoned land, including consideration of additional height and plot ratio for those properties;
 - h) Includes an explanation of what constitutes excellent design;
 - i) Reviews all development standards for Commercial, Mixed Use and Multiple Dwelling developments; and
 - j) Ensures development standards are located within Precinct Policies by exception.
-

The table found in Attachment 007 summarises the main changes of the proposed policy compared to the existing planning framework.

Key Elements of Draft Policy No. 7.1.6 – Development Requirement and Building Design

1) *Interface Provisions*

The adoption of TPS2 in November 2014 proposes more intense development on the major transport corridors throughout the City. Although this is consistent with the principles of Directions 2031, it brings with it the following complications:

- a) How to address interface issues between high and low density areas which will continue to be problematic and require appropriate policy measures; and
- b) concerns that building bulk and size has become too dominating on the main streets, particularly in the context of the surrounding neighbourhood.

In order to address these issues several policy solutions are recommended including:

- a) A new setback matrix (series of tables) to be used where the setback of new development is assessed, in part, based on the zoning of the adjoining property;
- b) Revised minimum rear setback calculations for commercial and mixed use properties based on a 45 degree angle approach from the boundary (see Figure 1 below);
- c) The inclusion of only half of any adjoining right of way, in any setback calculation; and
- d) Awarding additional height to land with a common side boundary to higher zoned or non-residential zoned land (incorporated into Table 1 of Policy No. 7.1.6).

Combined, these policy provisions establish a framework that reduces the impact of large developments on adjacent residential areas.

2) *Height and Plot Ratio Variations*

An important function of draft Policy No. 7.1.6 is to create a framework by which decision makers can consider variations to development standards. This review recommends the rescission of the City's Variations Policy No. 7.5.11, although key elements have been retained.

Table 1 of the draft policy outlines the requirements to determine building 'bulk' and 'size' for new developments. A key component is how plot ratio and height variations can be considered.

A shift in practice from the current policy is recommended which provides four scenarios where height variations can be considered.

Table 1 highlights whether height variations are permitted within each zone as well as recommending an overall reduction of height allowed to one storey. These requirements are contained in Column F of Table 1.

TPS2 is recommending the increase of density, and subsequently height, for many properties on major roads so a maximum height variation of one storey, rather than the two previously available, is recommended.

The policy also recommends that plot ratio variations are managed better. Currently the City does not have a mechanism to regulate the extent to which plot ratio can be varied for new developments and additional controls are necessary.

Additional plot ratio may be appropriate in some instances and is addressed by Column C and D of Table 1.

It is recommended that plot ratio variations are capped and requesting variations to that permitted is to be subject to satisfying certain requirements.

This will result in developers having to provide a better built form outcome for developments and prevent the current trend where excessive plot ratio variations are proposed.

Section 2 of the draft policy addresses height and plot ratio variation requirements. Tables 2A and 2B outline the mandatory and additional requirements that must be completed in order to become eligible for a variation.

The mandatory requirements include that the:

- a) proposed development satisfies all of the Design Principles listed in Appendix 2 and is endorsed by the City's Design Advisory Committee (DAC) as having achieved Design Excellence;
- b) variation will not be detrimental to the amenity of the locality.

Appendix 2 of draft Policy No. 7.1.6 includes prescriptive requirements on how to achieve Design Excellence as assessed by the City's DAC. This is a valuable addition to the policy framework as it provides any decision maker with the resources to make a determination on any variation that has been requested.

In addition to the mandatory requirements, three or four of the seven 'additional requirements' identified in Table 2B, must also be satisfied (depending on the variation requested) prior to a development being eligible to have a variation granted.

3) *How to Achieve Excellent Design*

Appendix 2 of the Policy outlines the 10 'principles' of excellent design that the City's DAC applies to achieve 'Design Excellence'.

Embedding these expectations into the Policy formalises the Design Excellence assessment process making it more transparent. This results in clarity of the minimum standard required to be achieved before design excellence can be granted and plot ratio and height variations can be considered.

The DAC's input will be sought during the advertising period to further refine this aspect of the policy.

4) *Building Setback Matrix*

In order to deal with the complexity and range of the issues that draft Policy No. 7.1.6 addresses, a matrix has been developed which comprises a series of tables that establish the required setback based on the zoning/coding of the land and that it adjoins.

Tables 3A, 3B, 4 and 5 of the policy directly relates to commercial and mixed use developments and identifies the setbacks in the following scenarios:

- Table 3a – Ground and First Floor – Side Setbacks;
 - Table 3b – Second Floor and above – Side Setbacks;
 - Table 4 – Ground and First Floor – Rear Setbacks;
 - Table 5 – Second Floor and above – Rear Setbacks.
-

The tables stipulate varying setback requirements for all property boundaries based on the following principles:

- Zoning of development site and neighbouring property. Greater setbacks are required when non-residential zoned land adjoin residential zoned land;
- Height variations, where a height variation has been granted, increased setbacks apply for that storey; and
- Increased setbacks when 'Commercial' zoned land has a high density residential component (R160).

With the use of this matrix a building envelope that development is expected to build within is created for each lot.

The rear setbacks specified in these tables guided by Figure 1 below. This is an approach adopted throughout Australia and internationally. A full explanation of the approach and references of the benchmarks are included in Appendix 3 of the draft Policy as guidance for policy users.

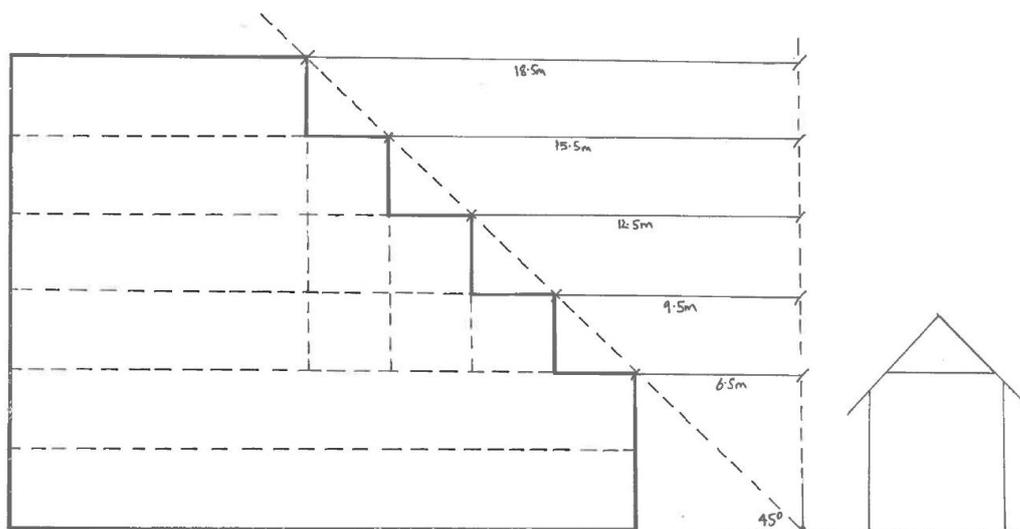


Figure 1: 45 degree angle approach to setback calculation

It is notable that this approach provides options for development scenarios, depending on permitted height.

The setback requirements contained in Table 6 relate only to rear setbacks for multiple dwellings and are designed to override the provisions of Table 2a and 2b of the R Codes. Following adoption of this policy, justification will be provided to the Western Australian Planning Commission explaining the reasons for including these provisions, as opposed to relying on the provisions of the R Codes.

The relevant tables are found in Attachment 006.

Review of the Residential Design Elements Policy

During 2014, town planning consultants RPS undertook a comprehensive review of the City's Residential Design Elements Policy.

The draft provisions have now been provided to the City and are incorporated into draft Policy No. 7.1.6 as Part Five (to coincide with the section numbering of the R Codes) and relate only to single and grouped dwellings.

The review framework used by the consultants is contained in Attachment 009 and provides 'clause by clause' justification for their recommendations.

Key outcomes of the review are to:

1. Incorporate the modified provisions that apply to single house or grouped dwelling developments as Part Five of Draft Policy No. 7.1.6 – Development Requirement and Building Design;
2. Remove building height (number of storeys) provisions and centralise these in Table 1 of the draft development Policy;
3. Remove unnecessary explanatory context and wording to ensure provisions can be clearly interpreted;
4. Remove provisions relating to subdivision as they are sufficiently outlined in the State's Development Control Policy No. 2.2;
5. Remove clauses which are defined/explained in other Local and State Planning Policies, such as:
 - Streetscape Character;
 - Alterations and Additions to Existing Dwelling;
 - New Dwellings;
 - Public Domain and Communal Spaces;
 - Minor Incursions Into Street Setback area;
 - Safety and Security;
 - Landscaping;
 - Lot configuration and Subdivision Pattern;
 - Small Lot Subdivision;
 - Pedestrian Access;
 - Preservation of Amenity on Adjoining Land and Surrounding Area;
 - Streetscape Character Considerations;
 - Building Bulk;
 - Acoustic Privacy;
 - Energy Efficient Design;
 - Solar Access; and
 - Adaptable and Accessible Housing;
6. Include of a new assessment column, 'Not Accepted'; and
7. Remove provisions which amend or replace R-Code criteria outside the scope of that permitted to be varied.

Draft Precinct Policies

Draft Precinct Policies were prepared to assist with the advertising of TPS2 and contained many development standards relating to each zone within each precinct. These policies have now also been reviewed and are recommended to only contain development standards, including residential density allocation for non-residential zones and standards for residential zones by exception, with draft Policy No. 7.1.6 specifying all other development standards.

The residential density allocations on non-residential land are consistent with the policies used to guide the draft Precinct Policies during the formal advertising of TPS2.

The development standards contained within each Precinct Policy will prevail over all other standards outlined in the City's planning policies.

Administration is requesting Council consent to the draft precinct policies being advertised for public comment as they form an integral part of the policy framework. However, these will only be presented to Council for adoption once the TPS2 has been approved by the Minister and subsequently gazetted.

A summary of the key changes to the Precinct Policies is contained in Attachment 008.

CONSULTATION/ADVERTISING:

The City's Policy No. 4.1.5 – Community Consultation requires an advertising period of 28 days, which Council may wish to extend given the scope of the content and to ensure the public and industry have an opportunity to comment.

The advertising of this revised policy framework will comprise the following:

- Adverts in a local paper, alternating between the Voice and the Guardian;
- Notice on the City's website;
- Copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre;
- 5 community workshops within each Precinct to present the new policy and to discuss implications for residents;
- A focus group with industry professionals, representative from Council, staff and the community; and
- Direct consultation with those who made a submission on TPS2 and those on the City's planning and building newsletter database.

LEGAL/POLICY:

Clause 47 of the City's Town Planning Scheme empowers Council to make local planning policies which are to:

- a) Relate to an aspect or aspects of development control or any matter relevant to this Scheme; and
- b) Apply to all or part of the Scheme area.

The advertising of the draft policies are pursuant to Section (3) of Clause 47 and the rescission of local planning policies is pursuant to Section (8) of the same Clause in TPS1.

RISK MANAGEMENT IMPLICATIONS:

The proposed policy framework provides up to date measures to deal with issues that the City is currently experiencing and will continue to experience as development intensifies.

The risk of not progressing an adequate town planning policy framework is that the City will be unable to appropriately deal with development issues and this will result in unintended development outcomes especially with the introduction of TPS2. Progressing this proposed policy framework will ensure that development applications do not unjustifiably lever off provisions of the City's current planning policies such as the Variations Policy especially in the context of TPS2.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment:

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

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

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

Leadership, Governance and Management:

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

4.1.4 Plan effectively for the future.

4.1.5 Focus on stakeholder needs, values, engagement and involvement.”

SUSTAINABILITY IMPLICATIONS:

The Draft Policy Framework supports the City’s recently adopted Local Planning Strategy and TPS2 which address the key principles of sustainability ensuring the City of Vincent continues to develop in a sustainable way.

To emphasise the City’s commitment to sustainability, additional reference has been made throughout the Draft Local Planning Strategy, within the Draft TPS2 Text, ensuring that developments have due consideration for the principles of sustainability.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure associated with progressing this draft Planning Policy Framework will be paid from the operating budget: Town Planning Scheme Amendment Policies.

COMMENTS & CONCLUSION:

Obtaining consent to advertise these draft policies is another step to ensure that the City’s planning policy framework provides the right balance between community expectations, the requirements of State Government and the aspirations of the private development industry.

The initiation of this policy framework will begin the conversation between the City and community on how policy will support development occurring now and when TPS2 has been gazetted. It will ensure the decision making process balances community expectation and commercial realities.

It is recommended Council supports the officer’s recommendation and provides consent to advertise the draft precinct policies, the new development policy and commences the process to rescind the policies that will no longer be required.

5.2 TECHNICAL SERVICES

5.2.1 Traffic Management – Intersection of Vincent Street and Norfolk Street, North Perth/Mount Lawley

Ward:	South	Date:	20 February 2015
Precinct:	Norfolk (10)	File Ref:	SC979; SC228
Attachments:	001 – Plan No. 3144-CP-01 002 – Plan No. 3144-CP-01A 003 – Plan No. 3144-CP-02 004 – Plan No. 3188-CP-01 005 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. NOTES:

- 1.1 the comments received regarding the implementation of a permanent right turn ban at the intersection of Norfolk and Vincent Street as shown in attachment 005; and
- 1.2 that while the majority of respondents support the proposal a large number of respondents have indicated that there needs to be a reduction in speed along Vincent Street including banning more parking to improve sight distance in lieu of a permanent right turn ban as they consider the problem would be moved elsewhere i.e. Hyde Street and/or Ethel Street if a right turn ban was implemented at the intersection of Norfolk Street and Vincent Street;
2. DOES NOT PROCEED with the implementation of the permanent right turn ban at the intersection of Vincent Street and Norfolk Street as shown on attached plan No. 3144-CP-01 (Attachment 001);
3. CONSULTS with residents regarding the implementation of alternative traffic management measures as shown on attached plan Nos. 3144-CP-01A (Attachment 002) and 3188-CP-01 (Attachment 004); and
4. RECEIVES a further report at the conclusion of the consultation.

PURPOSE OF REPORT:

To advise Council of the outcome of the community consultation on the traffic management proposal for the Norfolk Street and Vincent Street intersection and recommend a way forward.

BACKGROUND:

Ordinary Meeting of Council 13 May 2014:

Council considered a number of matters referred to it by the Integrated Transport Advisory Group one matter being the intersection of Vincent Street and Norfolk Street. Following consideration of the matter the following decision was made, in part:

“That the Council;

3. *NOTES that an interim measure (as shown on attached Plan No. 3144-CP-02) estimated to cost \$3,500 will be undertaken at the intersection of Norfolk and Vincent Street to improve sight lines for vehicles entering Vincent Street from Norfolk Street as discussed in the report;*
5. *RECEIVES a further report at the conclusion of the formal consultation period and further progress reports on the traffic matters as outlined in the report.”*

DETAILS:

Norfolk/Vincent Street Intersection:

As previously reported to Council, this intersection was modified several years ago as part of a Blackspot funded project; however, the accidents continued to occur culminating with a fatality involving a motor cyclist and a motor vehicle.

The Norfolk Precinct group subsequently wrote to the City requesting that action be taken to improve the intersection and offered a possible solution.

There have been fourteen (14) recorded accidents at this location in the last five (5) years (excluding the fatality) with the majority (9 out of the 14) of accidents involving vehicles turning right out of Norfolk Street colliding with vehicles travelling east on Vincent Street.

The following two (2) potential improvement measures were considered by Council at its Ordinary Meeting held on 13 May 2014:

- Measure 1: Removing the parking bay on the north side of Vincent Street immediately to the west of Norfolk Street and creating a nib. Refer Attachment 003, Plan No. 3144-CP-02 – completed.
- Measure 2: Installing a half ‘seagull island’ in Norfolk Street to permanently ban the right turn. Refer Attachment 001, Plan No. 3144-CP-01 – the subject of the recent community consultation.

Community Consultation:

On 22 January 2015, 249 letters were distributed to residents of Norfolk Street and surrounding streets canvassing comments on a proposal to install a half ‘seagull island’ in Norfolk Street to permanently ban the right turn traffic movement.

At the close of consultation on 6 February 2015, twenty eight (28) responses were received with seventeen (17) in favour of the proposal and eleven (11) against (as shown in Attachment 005).

Note: Two (2) late submissions were received 10 days after the close of consultation with one(1) in favour and one (1) against the proposal

Discussion:

In assessing the comments received, while the majority of respondents living in Norfolk Street were in favour of the half seagull proposal, a number of these respondents commented on the need to reduce the speed of traffic along Vincent Street and remove more parking bays to improve visibility.

Most of the respondents against the proposal, who live in the surrounding streets or at the junction of Norfolk Street and another street, acknowledged that something needed to be done to improve safety. However the common thread in their responses was that the other streets namely Hyde Street and Ethel Street, where they intersect with Vincent Street, will be adversely affected by a permanent right turn ban at Norfolk Street.

In addition they also suggested parking changes were required to improve visibility and a reduction in the posted speed along Vincent Street was required. A number suggested a roundabout, however this would not be feasible.

Fifteen (15) of the 28 respondents indicated the following:

- There needs to be a reduction in the posted speed along Vincent Street;
- more parking should be banned and
- a number of respondents considered that the problem would be moved elsewhere i.e. Hyde Street and/or Ethel Street if a right turn ban was implemented.

40kph Speed Zone Review on Vincent Street – William Street and Fitzgerald Street:

At its Ordinary meeting held on 22 April 2014 Council considered the above matter, where the following decision was made:

“That the Council:

1. *REQUESTS the Acting Chief Executive Officer to investigate reducing the speed limit on Vincent Street to 40km/h between William Street and Fitzgerald Street; and*
2. *PROVIDES a report to the council no later than 10 June 2014”.*

In accordance with clause (1) of the Council’s decision on 2 May 2014, MRWA was requested to consider permanently lowering the posted speed along Vincent Street between William Street and Fitzgerald Street from 60kph to 40kph.

On 4 June 2014 (as reported to Council at OMC 22 July 2014, IB07) MRWA wrote to the City and advised that *“due to the higher road ranking Main Roads would not consider introducing a 40kph speed limit road as the road environment was not conducive to a 40kph road environment as set out in the Main Roads Speed Zoning Guidelines.”*

Proposal:

While the majority of respondents were in favour of a permanent right turn ban the respondents who opposed the proposal raised major concerns that both Hyde Street and Ethel Street would become black spots as motorists sought alternative routes. Obviously this would only be proved should the ban be implemented as a trial.

However, in further examining the intersection in the context of the comments received it is considered that the following measures, in lieu of a permanent right turn ban, should be implemented as an alternative:

- Banning more parking in Norfolk Street and in the vicinity of the intersection to improve sight lines as shown on attached plan No. 3144-CP-01A (Attachment 002); and
- Implementing speed-slowing devices along Vincent Street (low profile speed humps) to regulate the speed of traffic as shown on attached plan No. 3188-CP-01 (Attachment 004).

Should the above measures be approved, and implemented the situation will be monitored to determine whether improving visibility and reducing the speed achieved the desired objectives i.e. minimizing/stopping the occurrence of accidents at the Norfolk Street and Vincent Street intersection.

CONSULTATION/ADVERTISING:

Consultation will be undertaken in accordance with the Council's Community Consultation Policy No. 4.1.5.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low/Medium: Related to amenity/safety improvements for residents.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

A total of \$20,000 has been included in the 2014/2015 budget for traffic calming in Norfolk Street and Vincent Street.

COMMENTS:

As mentioned in the report, while the majority of respondents were in favour of a permanent right turn ban the respondents who opposed the proposal raised major concerns that both Hyde Street and Ethel Street would become blackspots as motorists sought alternative routes.

The officers agree that any part or full closure of a road could potentially shift the problem elsewhere and in this case possibly Hyde Street and/or Ethel Street, where they intersect with Vincent Street, could be adversely affected.

It is therefore recommended that residents be consulted regarding implementing alternative measures to improve safety in lieu of a permanent right turn ban.

5.2.2 Proposed Traffic Calming – Bourke Street, Leederville

Ward:	Both	Date:	20 February 2015
Precinct:	Oxford Centre (4) & Leederville (3)	File Ref:	SC698; SC228
Attachments:	001 – Proposed Plan No. 2648-CP-01 002 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- DOES NOT PROCEED** with the implementation of the proposed traffic calming measures in Bourke Street, Leederville, between Loftus Street and Oxford Street as shown on Plan No. 2648-CP-01 due to the mixed response received from respondents;
- CONTINUES** to measure the speed and traffic composition in the street;
- REQUESTS** the WA Police to undertake random enforcement in the street; and
- ADVISES** the respondents of its decision.

PURPOSE OF REPORT:

To recommend that Council not proceed with the implementation of traffic calming in Bourke Street, Leederville.

BACKGROUND:

Ordinary Meeting held on 16 December 2014:

Council received a report on a number of matters that had been considered by the Integrated Transport Advisory Group (ITAG) at its meeting of 4 December 2014.

Specific to the Bourke Street traffic calming proposal Council made the following decision (in part):

“That Council:

- ENDORSES* the following actions:
 - Again consults with residents of Bourke Street between Loftus Street and Oxford Street regarding implementing additional traffic calming measures as shown on attached Plan No. 2648-CP-01 (Attachment 001); and*
- RECEIVES* a further progress report/s as the above matters progress.”

DETAILS:

As previously reported to Council, Bourke Street is classified as a Local Distributor Road in accordance with the Metropolitan Functional Road Hierarchy and in keeping with this classification, the average weekday traffic volume should not exceed 6,000 vehicles per day, while the posted speed limit is 50 kph.

Bourke Street, between Loftus Street and Oxford Street, links a District Distributor A Road Loftus Street, controlled by traffic signals, with a District Distributor B Road, Oxford Street, controlled by a roundabout. It currently carries in the order of 2,503 to 3,544 vehicles average weekday traffic (AWT) with the traffic volumes varying by block.



Bourke Street – looking east from Scott Street

Recent traffic data for the street is shown on the following table.

Section	85% Speed	Average Speed	Volume	% Heavy Vehicles
Oxford to Burgess	51.8 kph	51.8 kph	3,116	2.4
Burgess to Scott	54.7 kph	47.5 kph	2,503	2.1
Scott to Fleet	55.1 kph	47.0 kph	3,544	2.6
Fleet to Loftus	49.7 kph	43.4 kph	3,471	1.9

Previous Public Consultation:

In late 2010, seventy (70) letters were distributed to residents of Bourke Street between Loftus Street and Oxford Street regarding the implementation of traffic calming in the street. Two (2) options were presented to residents. Option 1, with speed humps, (as shown on Attachment 001) and Option 2, without speed humps, which was ultimately implemented and illustrated in the photograph above.

At the close of consultation, fifteen (15) responses were received:

- Nine (9) were in favour of Option 2 (without speed humps)
- Four (4) in favour of Option 1 (with speed humps)
- Two (2) residents suggested alternative treatments.

The main point of concern for those *against* the proposal was not only the number, but more specifically the location of the proposed speed humps.

Council considered the matter at its Ordinary Meeting of 21 December 2010 and Option 2 (without speed humps) was approved and subsequently implemented.

Council further requested that the street be monitored to determine whether the proposal had improved the amenity of the street in terms of traffic speed and if the data indicated that the speeds had decreased and to consult further with the residents with a view to installing the speed humps, as shown on Attachment 001, if there was no significant change.

Resident Request for Additional Traffic Calming:

In mid-2014 the City received a request to reconsider Council's 2010 decision and to install additional traffic calming measures in Bourke Street where new traffic data was subsequently collected in September 2014 and the matter listed for discussion at the ITAG meeting of 4 December 2014.

While the data showed that the 85% speed had decreased as a result of the 2011 works, of an average of approximately 3 kph, this had been off-set by an increase of approximately 5% in the traffic volumes, consistent with the surrounding road but which is still well within the operating criteria for a Local Distributor Road.

The ITAG meeting was attended by a resident of Bourke Street to provide a locals' perspective who suggested that *"due to the nibs and line-marking (as installed as result of the 2010 consultation) reversing out of their driveways is difficult and can be dangerous as cars seem to travel down the center of the road and therefore go faster. Further the situation is exacerbated by the current level of building activity in the street with a number of multiple and single dwellings under construction, and the associated construction traffic."*

Recent Public Consultation:

On 21 January 2015, 99 letters were sent out to the residents of Bourke Street, to which the City received seventeen (17) responses by the close of the consultation period on 6 February 2014. (refer attachment 002).

In Favour: Nine (9). Five (5) without comment and four (4) with comments.
Against: Six (6). Of the residents who opposed the speed humps, three (3) suggested they would agree if the speed humps were moved away from their property.
Other: Two (2). Who were not residents of Bourke Street.

Discussion/Conclusions:

A total of 99 letters were distributed and only seventeen (17) responses were received. This could indicate that the 82 residents who did not respond are either in favour of the speed humps or are ambivalent to the proposal.

However, as has occurred in previous consultations with respect to the installation of speed humps, the small number of residents who did respond generally agreed with the 'idea' of speed humps *as long as they are not in front of their house*. In the past this opposition to the location of the speed humps has seen some residents resort to contacting the ombudsman and the Department of Local Government to see if they have the right to have it (a speed hump) moved irrespective of Council's decision.

Therefore, Council needs to be aware that if the traffic calming is approved (as per Attachment 001), a speed hump cannot be relocated or significantly moved as it will potentially impact upon other residents. Given they may have similar concerns, but do not have an opportunity to comment and/or object, we would have to re-consult. Further, as can also be seen from the comments of those opposed to the traffic calming they tend to be a lot more strident in their objections.

When the above data is taken into consideration with the traffic volumes, there is understandably a perception in the community that speed is an issue when a significant percentage of drivers are travelling above 50 kph, albeit relatively minor given that at worst the 85% speed is 55.1 kph.

CONSULTATION/ADVERTISING:

Residents and businesses were consulted regarding the proposal in accordance with the City's Community Consultation Policy No. 4.1.5.

LEGAL/POLICY:

Not applicable.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

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

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

SUSTAINABILITY IMPLICATIONS:

Council ensures its road infrastructure is maintained to an acceptable level of service, including road safety improvements, with funds allocated annually to various programs.

FINANCIAL/BUDGET IMPLICATIONS:

There are no funds currently allocated in the budget for this project and the *Traffic Management – Miscellaneous Requests* budget has been fully expended for the current financial year. However if Council decides to proceed with the additional traffic calming an allocation of \$25,000 would need to be listed for consideration in the 2015/16 draft Budget.

COMMENTS:

The City receives many requests for traffic management and/or calming. 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. On other occasions the residents' complaints are referred to the WA Police for enforcement of the legal speed limit.

The traffic data indicates that the speed in Bourke Street is not excessive and after assessing the comments received it is considered that the status quo should be maintained in Bourke Street for now i.e. the installation of speed humps should not proceed.

5.2.3 Proposed Improvement to the Fitzgerald Street Carpark, North Perth

Ward:	South	Date:	20 February 2015
Precinct:	Hyde Park (12)	File Ref:	SC1072
Attachments:	001 – Plan No. 3189-CP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- 1. NOTES that \$30,000 has been allocated for improvements to the Fitzgerald Street carpark in the recent review of the Annual Budget 2014/2015;**
- 2. APPROVES the implementation of the car park improvements as shown on attached Plan No. 3189-CP-01; and**
- 3. ADVISES affected businesses/residents of its decision.**

PURPOSE OF REPORT:

To inform Council of the proposal to undertake improvements in the Fitzgerald Street carpark.

BACKGROUND:

The Mayor, Deputy Mayor and Director Technical Services met with representatives of the Azzurri Bocce Club in late 2014 where requests to investigate increasing the number of car parking bays in the Fitzgerald Street carpark adjoining the Bocce Club were received.

Upon investigating the request it was determined that there was scope to widen the pavement (west side) and reconfigure a number of parking bays thus increasing the overall parking bay numbers in the northern section of the car park.

DETAILS:

The Fitzgerald Street carpark is bounded by Fitzgerald Street, Lawley Street and Cowle Street, North Perth. The carpark has numerous large native trees with a 45 degree angled parking layout due mainly to the width of the carpark and the location of the existing trees.

The current configuration limits the number of bays that can be accommodated. There are currently 120 bays in the carpark and some wasted space particularly in the northern section of the car park due to the 45 degree configuration and available paved area.

The carpark is well utilised during the day and evenings with parking at a premium at certain times when organised events in the adjoining premises are in progress.

A recent investigation revealed that there is scope to increase the number of parking bays in the northwest corner of the carpark simply by widening the paved area by approximately 1.2m on the western side of the carpark (refer photo below).

The widening would allow for 90 degree parking at this location, without affecting the existing trees, and would increase the number of bays (with some additional bays adjacent to the southern side of the bocce club) from seventeen (17) to thirty-one (31) resulting in 134 bays overall.



Western side of the carpark – 1.20m widening required

CONSULTATION/ADVERTISING:

Businesses and residents will be advised of Council's decision.

LEGAL/POLICY:

The carpark is owned by the City of Vincent.

RISK MANAGEMENT IMPLICATIONS:

Low: Mainly related to amenity improvements for carpark users.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2013-2023*, Objective 1 states:

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

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

1.1.5(a) Implement the City's Car Parking Strategy and associated Precinct Parking Management Plans".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The estimated cost of the widening, including line marking, is \$30,000 and this has been allocated for improvement to the Fitzgerald Street carpark in the midyear budget review.

COMMENTS:

For a relatively small outlay an additional fourteen (14) car bays can be created in the North West corner of the Fitzgerald Street car park to improve the overall amount of the car park.

5.2.4 Lane Street, Perth – Proposed Amendments to Existing Parking – Progress Report No. 3

Ward:	South	Date:	20 February 2015
Precinct:	Hyde Park (12)	File Ref:	SC847; SC228
Attachments:	001 – Proposed Plan No. 3132-PP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- 1. APPROVES** making permanent the “2P time restrictions 8.00am to 6.00pm Monday to Friday” and the “Resident Only Parking at all other times” restrictions in Lane Street, Perth, as shown on the attached Plan No. 3132-PP-01; and
- 2. ADVISES** respondents of its decision.

PURPOSE OF REPORT:

To advise Council of the outcome of the recent consultation regarding the changes in parking restrictions in the street.

BACKGROUND:

As previously reported to Council a petition was received on 5 March 2014, along with sixteen (16) signatures from residents of Lane Street, requesting that the Council investigates the possibility to have street trees, ‘Resident Only’ parking and Traffic Calming Devices implemented in Lane Street, Perth. This petition was subsequently read at the Ordinary Meeting of Council held on Tuesday 11 March 2014.

This petition was subsequently read at the Ordinary Meeting of Council held on Tuesday 11 March 2014.

Ordinary Meeting of Council 25 March 2014:

The following decision was made:

“That the Council;

- 1. APPROVES IN PRINCIPLE the undertaking of a six (6) month trial of replacing the current time restrictions on the western side of Lane Street with a 2P time restriction 8.00am to 6.00pm Monday to Friday and “Resident Only” parking at all other times, as shown on the attached Plan No. 3132-PP-01;*
 - 2. INVESTIGATES the feasibility of planting trees and undertakes a traffic assessment as requested by the petitioners;*
 - 3. CONSULTS with the residents/businesses of Lane Street regarding the proposal as outlined in clause 1; and*
 - 4. RECEIVES a further report on the outcome of the consultation and investigations outlined above.”*
-

Ordinary Meeting of Council 13 May 2014:

The subsequent consultation attracted few responses; however, it was evident that there was a desire for a change in the parking restrictions in the street. The matter was further considered by Council where the following decision was made:

“That the Council;

1. *APPROVES the undertaking of a six (6) month trial of a 2P time restriction 8.00am to 6.00pm Monday to Friday and “Resident Only” parking at all other times in Lane Street, as shown on the attached Plan No. 3132-PP-01;*
2. *PLACES a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs;*
3. *NOTES that the introduction of traffic calming measures cannot be supported based on the results of the traffic data, as outlined in the report;*
4. *RECEIVES a further report on the request for trees to be planted in the street; and*
5. *ADVISES residents of its decision;”*

DETAILS:

Community Consultation:

On 20 January 2015, thirty six (36) letters were again sent out to Lane Street residents canvassing comments on the six (6) month trial of a 2P time restriction, 8.00am to 6.00pm Monday to Friday, and “Resident Only” parking at all other times.

Seven (7) responses were received with six (6) in favour and one (1) against.

Related Comments *in favour* of proposal:

- Ruah has no objections to the proposal. The organisation been in Lane Street since 1978. We would like to be provided with some resident parking permits if possible.
- As a resident and occupier I fully support and endorse the proposal. Should be after 8.00pm.
- I agree as I am concerned that non-residents use the street for unauthorised parking for extended period.
- 3 x agree with no further comment.

Related Comments *against* the proposal:

- We do not support 2P as street had reached capacity. We would like resident only parking at all times. We would also like trees.

Administration Response:

It is recommended that the restrictions be made permanent and that officers meet with a representative of Ruah to discuss their request for a number of parking permits, as per their submission. The street trees matter was investigated and there are a number of underground services which preclude the planting of trees in the street i.e. stormwater, gas, water and main truck sewerage.

CONSULTATION/ADVERTISING:

Consultation was undertaken in accordance with the City's consultation policy.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

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

1.1.3 Take action to reduce the City's environmental impact and provide leadership on environmental matters.

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

It is recommended that the "2P time restriction, 8.00am to 6.00pm Monday to Friday", and "Resident Only parking at all other times" on the eastern side of Lane Street as shown on attached Plan No. 3132-PP-01 be made permanent.

5.2.5 Vincent Greening Plan - Proposed 2015 Local Plant Sales

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC2100
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	K Godfrey, Technical Officer Parks Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **APPROVES holding two (2) Local Plant Sales with the first to be held on Saturday 18 April 2015 and the other to be held on Saturday 15 August 2015, both commencing at 8.00am outside the City's Library and Local History Centre; and**
2. **ADVERTISES and PROMOTES the sales to the Vincent community.**

PURPOSE OF REPORT:

To seek Councils' approval to conduct two (2) Local Plant Sales in 2015 to continue to foster biodiversity within the community as outlined in the adopted 'Greening Plan'.

BACKGROUND

A report was presented and approved under delegated authority on 16 January 2014 in relation to the 2014 Local Plant Sales where the following decision was made (in part):

"That the Council

1. *APPROVES holding two (2) Local Plant Sales on Saturday 19 April 2014 and Saturday 16 August 2014 commencing at 8.00am outside the City's Library and Local History Centre;"*

DETAILS:

Local Plant Sales:

The first plant sale of 2014 was held on Saturday 19 April and attracted 165 residents which was a good turnout considering it was the Easter long weekend. The August plant sale held on Saturday 16 August set an all-time record for attendance with 188 residents turning up to purchase native plant stock.

Therefore given the large number of residents who attended the April and August 2014 plant it is recommended that the City continues holding two (2) local plant sales per year.

CONSULTATION/ADVERTISING:

The sales, once approved by Council, will be extensively advertised in local papers, on the City's website, newsletters and on banner displays.

LEGAL/POLICY:

Not applicable.

RISK IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

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

SUSTAINABILITY IMPLICATIONS:

For a number of years the City has been committed to promoting and encouraging residents to use local native and other water wise plant species as being the most sustainable option when it comes to establishing a new garden or renovating an older water-dependant European-styled garden.

Native plants are more suited to our hot drying climate and have a better survival rate compared with exotic plant species which require a lot more water to survive. As an incentive to utilise native plants, all stock sold on the day is provided to the City's residents at a subsidised cost.

FINANCIAL/BUDGET IMPLICATIONS:

The 'Local Plant Projects' budget amount for 2014/2015 is \$10,000. In 2013/2014 the budget was \$10,000 and the total expenditure, after taking revenue into account was \$4,500.

COMMENTS:

The Local Plant Sales undertaken in 2014 were very popular with residents. This was evident at the August 2014 sale when 188 residents came to purchase plant stock. This is the highest attendance for a plant sale since our inaugural sale was held in April 2005.

With each passing year the City's residents are embracing the concept of utilising native plants to beautify their garden and also play their part in contributing to saving our precious water resources. Winter rainfall is still declining in Western Australia and it is vital that the City continues to play a lead role in showcasing within our parks and reserves what can be achieved by utilising local native plants in a garden setting.

Local plant sales have contributed to the beautification of numerous street verges and residential front gardens that now feature native water wise plants.

It is therefore recommended that Council approves the local plant sales and advertises the dates accordingly.

5.2.6 Vincent Greening Plan – Proposed ‘Adopt a Tree’ Program

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC1293
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	S Hill, Acting Project Officer – Parks and Environment J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- 1. APPROVES the proposed ‘Adopt a Tree’ program as outlined within the report;**
- 2. NOTES that:**
 - 2.1 guidelines will be prepared for the ‘Adopt a Tree’ program as outlined in the report; and**
 - 2.2 the ‘Adopt a Tree’ program will be made available to all residents in the City as an extension to the City’s ‘Greening Plan’; and**
- 3. LISTS an amount of \$5,000 for consideration in the 2015/2016 draft budget to undertake the program.**

PURPOSE OF REPORT:

To obtain Council approval for an ‘Adopt a Tree’ program to encourage the greening of the City’s streets, foster biodiversity within the community and assist in establishing biodiversity corridors and greenways within the City as outlined in the adopted ‘Greening Plan’.

BACKGROUND:

Greening Plan:

Ordinary Meeting of Council – 20 December 2011:

A Notice of Motion for the creation of a City wide ‘Greening Plan’ to include the following environmental, social and economic elements, was considered and approved:

- Cooling of the built environment;
- Pollution absorption;
- Carbon sinking;
- Stormwater and ground water quality improvements;
- Increased biodiversity;
- Cleaner, more attractive streetscapes; and
- A general increase in visual amenity and community well-being.

Ordinary Meeting of Council 19 November 2013:

A Notice of Motion to investigate and prepare an 'Adopt a Verge' program as part of the extended 'Greening Plan' (as follows), was considered and approved.

- Encourages ratepayers to care for their front or nearby verge, with a focus on revegetating verges with low, waterwise native species;
- Provides an incentive program, which may include further minor earth works for verges where multiple residents apply jointly for the program;
- Provides a simple set of guidelines, which makes applying for the program easy, fair and accessible; and
- Recommends a budget allocation for the incentive program.

DETAILS:

Proposed 'Adopt a Tree' Program:

There are approximately 11,000 street trees in the City of Vincent and this number is increasing every year. Street trees provide significant environmental, economic and aesthetic benefits for our streets and the wider community, creating an overall more liveable neighbourhood.

The proposed 'Adopt a Tree' program will call on residents, businesses and community groups to work in partnership with the City to assist in the establishment of newly planted trees and to care for existing trees within the City's streetscapes.

Anyone in the Vincent community will be able to register as a tree 'adopter'. Adopters will then care for a street tree (or several trees) in the following ways:

- Watering of the tree;
- Removing weeds from around the base of the tree; and
- Observing the tree and reporting any issues.

The City will support 'adopters' by providing advice, resources and physical assistance when necessary. Each adopted tree will be identified and registered.

Promotion:

It is proposed that the program be promoted via the City's various channels, with a focus on The City's Social Media and Web page.

This will be promoted under the main umbrella 'Greening Vincent' logo.

Application/Registration:

Residents would be invited to complete an 'Adopt a Tree' registration form and submit the form to the City. Applicants would be able to adopt one or more trees or even an entire streetscape. A registry of adopted trees and their locations would then be provided on the City's website and this would be updated as required.

Registration Pack:

Following registration, applicants would receive a registration pack/kit containing information about the adopted tree and how best to look after it. The pack would also contain basic equipment/supplies to care for the street tree(s).

Annual Workshops and Newsletters:

Dependant on the popularity of the program, annual workshops and newsletters would be provided to promote and educate residents on how best to maintain and care for their tree(s).

Workshops would be held 'in house' and be conducted by one of the City's horticulturalists outlining how to undertake general maintenance, including weeding, basic formative pruning, fertilising and identification of any disease or issues to ensure a tree(s) have the best chance of survival.

Note: The City would still be responsible for annual pruning of trees under power lines and other associated pruning works/removals etc.

CONSULTATION/ADVERTISING:

Residents will be invited to register for the 'Adopt a Tree' program. It is proposed that the program will run indefinitely as part of the City's 'Greening Plan'.

LEGAL/POLICY:

The City has Street Tree Policy No. 2.1.2 which must be adhered to and may be provided if required as part of the registration process.

RISK MANAGEMENT IMPLICATIONS:

Low-Medium: Verges may contain above ground and/or underground services. Advice will be given to residents following registration.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2013-2023*:

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

1.1.3: Take action to reduce the City's environmental impacts and provide leadership on environmental matters.

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

SUSTAINABILITY IMPLICATIONS:

Fostering biodiversity is an integral part of building a sustainable community. This program will act to engage and educate the community about the importance of biodiversity and contribute to the City's overall 'Greening Plan', including the formation of biodiversity corridors and predetermined greenways.

FINANCIAL/BUDGET IMPLICATIONS:

It is proposed to allocate an amount of \$5,000 for consideration in the 2015/16 draft budget to provide potential resources to applicants including:

- Bucket for watering;
- Gloves for weeding;
- Fertiliser; and
- Soil amendments.

COMMENTS:

The 'Adopt a Tree' program will assist the City in meeting many of the objectives of the City's 'Greening Plan'. In addition, engaging and educating the community on critical issues such as biodiversity, is key to fostering, developing and enabling a sustainable community.

5.2.7 Britannia Reserve – Approval of Works in Accordance with Long-term Implementation Program

Ward:	South	Date:	20 February 2015
Precinct:	Leederville (3)	File Ref:	SC530
Attachments:	001 – Britannia Reserve Map 002 – Bollard Option		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the recommendations of the Britannia Reserve Working Group from its meeting held on 11 February 2015;
2. **APPROVES** the works as outlined within the report which include:
 - 2.1 construction of the northern and western pathway estimated to cost \$260,000 as shown on Attachment 001;
 - 2.2 installation of bollard “way finding” lighting adjacent to the existing eastern pathway, estimated to cost \$130,000, as shown on Attachments 001 and 002; and
 - 2.3 eco-zoning of the area to the east of the existing pathway, estimated to cost \$30,000, as shown on Attachment 001; and
3. **ADVISES** local residents, sporting clubs, the Britannia Reserve Reference Group members and all casual users of its decision.

PURPOSE OF REPORT:

To seek Council’s approval to progress with the construction of the northern and western pathway and installation of lighting along the existing (eastern) pathway installed last financial year.

BACKGROUND:

A long-term Implementation program for Britannia Reserve was presented and approved by Council at its Ordinary Meeting held on 17 December 2013.

The program was developed following recommendations contained within the Masterplan completed by PlaceScape consultants and included installation of a perimeter path with low level lighting, upgrading of existing sports lighting, landscaping (eco-zoning), signage and provision of recreational nodes with associated park furniture installations.

Year 1 and 2 of the program, which has included the installation of the eastern pathway, is nearing completion and has been very well received by the community at large.

DETAILS:

A meeting of the Britannia Reserve Working Group (BRWG) was held on 11 February 2015 to discuss the following three (3) specific items of business:

- Construction of the northern and western pathway sections;
- Lighting adjacent to the eastern pathway; and
- Eco-zoning.

The group members present concurred with the works proceed as shown on Attachments 001 and 002, and as discussed below.

Construction of Northern and Western Pathway: (refer Attachment 001)

It is proposed that the two (2) metre wide red asphalt path will link up with the existing north/south path on the eastern side of the reserve, at the north-eastern corner of the reserve at Britannia Road, and meander along the Britannia Road verge adjacent to the reserve around the existing Peppermint trees. Once the path has been completed it is proposed that the existing pine bollard fencing be relocated to the outside edge of the path to prevent vehicles parking across the path.

It is proposed that the path will then run adjacent to the eastern edge of the main carpark, behind the seniors cricket nets, across the front of the pavilion veranda and playground, then around to the service entry gateway. From this point the path would run through some existing shrubbery, behind the junior's cricket nets and then meander along the existing freeway shrubbery in a southerly/south easterly direction to a point adjacent to the soccer training lights.

A large arc of turf will be removed and eco-zoned where the path heads south-east to the southernmost cricket field boundary and then back to the freeway shrubbery and south to join with the existing path at the Bourke Street end of the reserve, completing the perimeter path network.

The large section of playing area to be removed will result in the deletion of one (1) junior rugby field and it is proposed to establish low native shrubberies in this area connected by stabilised gravel walkways. Park furniture will be installed at intervals for resting stops and possible nature play components included in the design to be further developed.

Lighting of Eastern Pathway:

At the previous BRWG meeting, Mike Sage (Electrical Consultant) discussed with working group members various types of lighting that could be used along the paths at Britannia Reserve.

The group has recommended that the bollard or "way finding" lighting - Option 2 provided by the Electrical Consultant, should be installed along the eastern pathway constructed last year.

As it is envisaged that as the project cost will be over \$100,000 a tender will be prepared and advertised in due course and once approved the works should be completed prior to the end of the current financial year.

Future discussion will be had in regards to lighting of the western pathway where a higher pole and more intensified light may be considered appropriate.

Eco-zoning:

Over the past five (5) years staff have been preparing for eco-zoning parts of Britannia Reserve by spraying out weaker turfed areas under trees and applying mulch in readiness for planting. The preparatory works are almost complete and planting of the area to the east of the new pathway is proposed to take place on National Tree Day (Sunday 26 July 2015).

Whilst some additional tree planting is proposed, the majority of plants will consist of groundcovers and small shrubs native to Australia.

The Bourke Street end of the reserve has not been included at this point until it is decided what infrastructure will be included and/or relocated within this section of the park.

Future Works:

Future works within the reserve as recommended in the original Masterplan document and approved by Council as part of the Long-term Implementation Program are new/upgraded sports lighting, signage, additional landscaping and park furniture.

CONSULTATION/ADVERTISING:

The local community, sporting clubs and other reserve users were consulted in relation to the formulation and completion of the Britannia Reserve Masterplan.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The recommendations of the study should they be implemented will improve the amenity and useability of the reserve for structured and unstructured recreation.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2013-2023* states:

"1.1 Improve and maintain the natural and built environment and infrastructure.

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

1.1.5 Take action to improve transport and parking in the City and mitigate the effects of traffic.

1.1.6 Enhance and maintain the City's parks, landscaping and the natural environment."

"3.1 Enhance and promote community development and wellbeing.

3.1.2 Promote and foster community safety and security.

3.1.3 Promote health and wellbeing in the community.

3.1.4 Continue to implement the principles of universal access.

3.1.6 Build capacity within the community to meet its needs."

SUSTAINABILITY IMPLICATIONS:

The Master Plan concepts are based on sustainable and eco-friendly design principles with the inclusion of natural vegetation, nature play principles and increase diversity of experience within the reserve.

FINANCIAL/BUDGET IMPLICATIONS:

Funding has been allocated in the 2014/15 budget to undertake the following works at Britannia Reserve.

Project	Budget	Status
Power upgrade	\$100,000 (revised)	In progress (Western Power) – 75% completed.
Path construction (western/northern pathway)	\$260,000	Not commenced.
Path Lighting (eastern pathway)	\$130,000	Design/tender specification in progress.
Eco-zoning	\$30,000	Preliminary works in progress, planting on National Tree Day – Sunday 26 July 2015.

COMMENTS:

As previously advised the Britannia Reserve Masterplan Consultation and Design Development Report completed by PlaceScape created a strategically planned and shared reserve facility.

The works completed in 2013/2014 i.e. Stage 1 path construction along the Eastern boundary of the reserve has been very well received by the majority of users and completion of the western and northern path section, in 2014/2015, with the provision of park furniture and improved sports lighting over the forthcoming years, as per the adopted Master Plan, will enhance the reserve and benefit all users.

It is therefore recommended that Council approves the works and advises the local community, sporting clubs and all casual users of Britannia Reserve.

5.2.8 Re-introduction of Sports Fees for Juniors

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC1491
Attachments:	001 – Junior Fees Overview		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the three (3) options provided for the re-introduction of fees for juniors using the City’s sportsgrounds as shown in Attachment 001;
2. **APPROVES** Option 1 as being the most suitable based on the option providing the most favourable outcome for clubs having a higher percentage of Vincent residents;
3. **REQUESTS** all sporting clubs to sign a statutory declaration at the commencement of each sporting season accurately stating the number of Vincent members within their club;
4. **IMPLEMENTS** the new junior fee charges at the commencement of the 2015 summer season on 1 October 2015;
5. **AMENDS** the City’s No. 2.1.7 Guidelines and Policy Procedure for Parks, Reserves and Hall Facilities – Conditions of Use to reflect the changes approved by Council; and
6. **ADVISES** all sporting clubs of its decision.

PURPOSE OF REPORT:

To provide different costing options for consideration and approval by Council for the re-introduction of fees for juniors using the City’s sportsgrounds.

BACKGROUND:

Ordinary Meeting of Council held on 25 May 1998:

At the review of the Annual Budget, Council reduced the fees levied for juniors from an average of \$15.20 per person per season (*as per schedule of fees for 1998/1999*) to a maximum of \$5.00 per person per season.

Ordinary Meeting of Council held on 22 March 1999 (Item 12.1):

The following Notice of Motion was adopted by Council:

“That this Council intends to remove all fees for junior sports within the Town of Vincent and for the matter to be considered in the 1999/2000 Budget”

Special Meeting of Council held on 9 August 1999 (Item 8.1.1)

The 1999/2000 budget was adopted and fees for juniors was removed from the fees and charges. As a result juniors have not paid fees for the use of sportsgrounds since August 1999.

Ordinary Meeting of Council held on 24 June 2014 (Item 10.2):

A Notice of Motion was adopted requesting that an audit be undertaken of the City’s active reserves was adopted (as follows):

“That the Council AUTHORIZES the Acting Chief Executive Officer to undertake an audit of the current usage of all City of Vincent reserves and parks, including:

1. *Current usage by all sporting clubs, with detailed information on schedules for 2014;*
2. *Formal request to all sporting clubs to provide accurate membership data, including current number of City of Vincent members;*

3. *Current lease arrangements by all sporting clubs for reserve and park facilities and end date for leases; and*
4. *That this report should be provided no later to Council than by September 2014; and*
5. *an audit of all leases over green space.”*

Ordinary Meeting of Council held on 21 October 2014:

A report was presented outlining details on the usage of the City’s parks and reserves, club membership data and lease arrangements of all active or passive areas within the City whereby the following decision was made:

“That Council:

1. *NOTES the results of a recent ‘Usage Audit’ of the City’s Parks and Reserves including:*
 - 1.1 *membership data for each respective sporting club (refer attachment 001);*
 - 1.2 *current lease arrangements for reserves and current lease arrangements for parks passive green space (refer attachment 002); and*
 - 1.3 *current schedule of use of reserves by all sporting clubs (refer attachment 003).”*

The Officer’s report included the following recommendations that were subsequently deleted pending a further report canvassing different options for the charging of juniors utilising the City’s sportsgrounds:

- “2. *APPROVES IN PRINCIPLE the reintroduction of fees for junior sports within the City of Vincent where less than 50% of club members reside in the City of Vincent; and*
3. *LISTS the proposed fee for junior sports referred to in 2 above for consideration in the 2015/2016 draft budget”.*

DETAILS:

As outlined in the report to the Ordinary Meeting of Council held on 21 October 2014 (Item 9.2.1), all sporting clubs were required to provide membership data to the City to ascertain the number of members per club and what number or percentage were residing within the City in view that some form of fee would be imposed upon juniors in future seasons.

Note: The following table outlines information arranged as follows:

- clubs which are currently not charged for juniors (under the age of 18 years) in accordance with a Memorandum of Understanding (MOU) between the City and the clubs (**);
- clubs that currently do not have a junior base (*); and
- Clubs which have a junior base.

Club	Reserve	No. of Teams	No. of Members	CoV Residents		Non-CoV Residents	
				No.	%	No.	%
East Perth Football Club (**)	Beatty	3	95	5	5%	90	95%
Subiaco Football Club (**)	Les Lilleyman	116	1718	74	4%	1644	96%
North Perth United Football (*) Club	Woodville	4	106	77	73%	29	27%
Western United Soccer Club (*)	Birdwood	2	31	6	19%	25	81%
Coastal Breakers Gaelic Football (*)	Britannia	2	31	6	19%	25	81%

Emerald Football Club (*)	Woodville	1	16	7	44%	9	56%
Floreat Hellenic Cricket Club (*)	Beatty	2	45	10	22%	35	78%
University Cricket Club (*)	Menzies	4	106	16	15%	90	85%
Last Man Stands (*)	Forrest Britannia	10	80	33	41%	47	59%
Perth Soccer Club (Juniors and Seniors)	Forrest Birdwood	28	480	104	22%	376	78%
Floreat Athena Soccer Club	Britannia	34	320	80	25%	240	75%
WA Junior Rugby	Britannia	244	4698	36	1%	4662	99%
Modernians Hockey Club	Veryard	29	443	160	36%	283	64%
Cardinals Junior Football Club	Menzies Veryard	31	536	405	76%	131	24%
Leederville Cricket Club	Britannia	29	512	177	35%	335	65%
(Junior & Senior)							
Tuart Hill Cricket Club	Veryard	7	187	31	17%	156	83%

Three (3) options for the re-introduction of fees for juniors have been developed, following discussions with the Chief Executive Officer, Director Technical Services and in liaison with other local authorities. The costs and possible revenue received are outlined in attachment 001.

Option 1 - Residential % Rating:

This option provides the most benefit for clubs having a greater percentage of Vincent residents. The attached table is divided up by 25% increments, therefore clubs having a 0-25% resident base are charged a higher fee than clubs with a greater than 75% resident base, who in this case are charged no fee.

The fee charges are subjective and can be changed to any amount; however, it is felt that the charges as outlined in the table are fair and reasonable.

Possible total annual revenue = \$27,498.

Option 2 - \$5 Flat Rate:

The flat rate option indicates a set charge for every junior across all codes and again this fee can be varied from \$1.00 per junior to whatever Council believes is a fair option. The suggested \$5.00 per junior is indicative of what Council charged juniors in 1998 after reducing the juniors fees from \$15.20 per junior.

Possible total annual revenue = \$31,730.

Option 3 – Reserve Impact Rating:

This option very basically, takes into account the level of impact the various sporting codes have on the turf surface which then requires additional turf maintenance such as coring and re-turfing to get each respective reserve ready for the following season.

Again the charge per impact rating can be varied to whatever amount Council sees as being reasonable.

Possible total annual revenue = \$23,852.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

In accordance with Section 6.16 and 6.19 of the Local Government Act 1995;

“6.16 Imposition of fees and charges

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed. * Absolute majority required.*
- (2) *A fee or charge may be imposed for the following —*
 - (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - (b) *supplying a service or carrying out work at the request of a person;*
 - (c) *subject to section 5.94, providing information from local government records;*
 - (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - (e) *supplying goods;*
 - (f) *such other service as may be prescribed.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
 - (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

** Absolute majority required.”*

“6.19 Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.”*

RISK MANAGEMENT IMPLICATIONS:

Medium-High: Dependant on what level of use is determined for each respective reserve, the risk of accident/injury occurring on active sporting grounds can increase significantly if use is not carefully monitored particularly during the winter months when the turfed surface can deteriorate quickly due to excessive wear and tear.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

“1.1 Improve and maintain the natural and built environment and infrastructure.

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

SUSTAINABILITY IMPLICATIONS:

As noted in previous reports presented to Council it is imperative that the use of the active sporting reserves is carefully monitored in view that the turf surfaces remain sustainable throughout the year.

FINANCIAL/BUDGET IMPLICATIONS:

Financial implications in terms of additional revenue received are outlined in the three (3) option tables above and summarised in the table below.

Junior Clubs with less than 50% City of Vincent Membership				
Club	No. of Juniors	Residential % Rate	Flat Rate	Reserve Impact Rate
Cardinals Junior Football Club	536	\$0	\$2,680	\$2,680
Perth Soccer Club	314	\$1,570	\$1,570	\$3,140
Floreat Athena Soccer Club	150	\$450	\$750	\$1,500
WA Junior Rugby	4,698	\$23,490	\$23,490	\$14,094
Modernians Hockey Club	247	\$741	\$1,235	\$1,235
Leederville Cricket Club	379	\$1,137	\$1,895	\$1,137
Tuart Hill Cricket Club	22	\$110	\$110	\$66
Possible Total Annual Revenue Received		\$27,498	\$31,730	\$23,852

COMMENTS:

There are numerous options that could be applied for the introduction of junior fees; however, the Officers have endeavoured to keep these relatively simple and easy to apply. Option 1 is recommended by Officers as the most appropriate given that it benefits clubs having the greatest number of Vincent residents.

As discussed previously, in view of the ongoing intensified use of the City's facilities and subsequent higher maintenance costs it is recommended that Council approve the reintroduction of fees for junior sports within the City of Vincent and that the approved charges be listed for consideration in the 2015/2016 draft Fees and Charges Budget.

5.2.9 Leederville Town Centre Streetscape Enhancement Project Expenditure

Ward:	South	Date:	20 February 2015
Precinct:	Oxford Centre (4)	File Ref:	SC564; FIN0025
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	J van den Bok, Manager Parks & Property Services R Lotznicker; Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- RECEIVES** the report on the Leederville Town Centre Streetscape Enhancement Project under expenditure;
- NOTES** that the majority of the funding for the Leederville Town Centre Streetscape enhancement Project was from Reserves; and
- APPROVES** the following budget adjustment to provide for the surplus project funding in 1) above to be retained in the applicable Reserve:

	Current Budget	Adjustment
Leederville Town Centre Streetscape Enhancement Project	\$1,655,847	(\$485,422)
Transfer from Reserve	\$5,758,752	(\$485,422)

PURPOSE OF REPORT:

To provide Council with further information on the Leederville Town Centre Streetscape Enhancement Project expenditure.

BACKGROUND:

At its Ordinary Meeting held on 10 February 2015, Council considered a report on the Review of the Annual Budget 2014/15 and decided to approve the budget review.

The report mentioned that an under expenditure in relation to the Leederville Town Centre Streetscape Enhancement Project had not been included as a savings or as a proposed budget adjustment in the budget review and that a separate report on the matter would be presented to Council by April 2015.

DETAILS:

The project was staged over two (2) financial years with funds carried forward from 2013/2014 and supplemented in 2014/2015. The project, including all outstanding invoices, was finalised by the end of December 2014.

In examining the project expenditure it was found that there is an under expenditure of \$485,522.00 resulting from the project being funded over two (2) financial years, with accounts outstanding and works in progress at the end of June 2014, and with the actual carry forward amount at the time being greater than required.

As the projects progressed monthly progress reports were presented to Council in relation to the progress of the Oxford Street Reserve Redevelopment where expenditure to date figures were provided.

Ordinary Meeting held on 10 June 2014:

Council was advised that works were on schedule for completion at the end of June 2014. The park redevelopment project was progressing on target without any major issues arising and the playground contractors had commenced their works program, albeit several weeks behind the anticipated commencement date.

Ordinary Meeting held on 22 July 2014:

Council was advised that the project was running behind schedule and works were now due for completion in August 2014. The park redevelopment project was on schedule; however, was delayed due to interruptions by the playground contractor commencing their program and sourcing materials for the project.

Park Upgrade:

The total cost of the park upgrade including all variations was to \$1,576,623.36 and this amount was paid to the contractor in seven (7) payments over the project as outlined in previous progress reports to Council

Playground Upgrade:

The total cost of the playground upgrade was \$225,000 and when the final report was presented to Council at its Ordinary Meeting held on 23 September 2014 (Item IB04) the total amount invoiced to the contractor was \$130,987.69. An amount of \$94,012.31 was outstanding at this time; however, this was finalised and paid to the playground contractor in November 2014.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Local Government Act 1995 requires that a budget review be undertaken each financial year in the period between January and March of a financial year.

RISK MANAGEMENT IMPLICATIONS:

Low: The under expended funds can be used for other purposes as determined by Council.

STRATEGIC IMPLICATIONS:

The City's *Strategic Community Plan 2013 -2023*, Objective 4 states:

"4.1 Provide Good Strategic Decision-Making, Governance, Leadership and Professional Management:

4.1.2(a) Adopt "best practice" to manage the financial resources and assets of the City".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The following table outlines the budget/expenditure for the project from June 2014 to December 2014. The table shows funds remaining 30 June 2014 and budget at 31 July 2014

Date	Budget	Revised Budget	Expenditure	Difference
2013/2014				
June 30 2014	\$ 1,450,000.00	\$ 1,725,000.00	\$ 769,383.00	\$ 955,617.00
2014/2015				
July 31 2014	\$ 1,655,847.00	\$ 1,655,847.00	\$ 285,941.00	\$ 1,369,906.00
Aug 31 2014	\$ 1,655,847.00	\$ 1,655,847.00	\$ 335,151.00	\$ 1,320,696.00
Sept 30 2014	\$ 1,655,847.00	\$ 1,655,847.00	\$ 1,063,499.00	\$ 592,348.00
Oct 31 2014	\$ 1,655,847.00	\$ 1,655,847.00	\$ 1,072,069.00	\$ 583,778.00
Nov 30 2014	\$ 1,655,847.00	\$ 1,655,847.00	\$ 1,168,221.00	\$ 487,626.00
Dec 31 2014	\$ 1,655,847.00	\$ 1,655,847.00	\$ 1,170,425.00	\$ 485,422.00

As can be seen from the above table at 31 December the project under expenditure was \$485,422.00

Future options for the future allocation and use of these under expended funds could include reallocation within the current financial year to fund other works should time and resources allow, however it is considered prudent, given the significant change in the Budgeted opening position for 2014/15 of (\$3,199,779) and actual deficit opening position of (\$4,758,710), to retain the funds within the applicable Reserve. This will enable effective consideration during the 2015/16 budget development process.

COMMENTS:

As previously reported to Council, the Leederville Town Centre Streetscape Enhancement project included a major upgrade of the Oxford Street Reserve, the construction of a new Nature Based Play area and a number of streetscape improvements along Oxford Street. The project was staged over two (2) financial years with funds carried forward from 2013/2014 and supplemented in 2014/2015. The project has now been completed and overall there is an under expenditure of \$485,522.00.

The under expenditure resulted from the project being funded over two (2) financial years with accounts outstanding and works in progress at the end of June 2014 and the estimated carry forward amount at the time being greater than required.

5.2.10 Rescission Motion: Leederville Town Centre Enhancement Project – Newcastle Street and Carr Place Intersection Proposed Modifications

Ward:	South	Date:	20 February 2015
Precinct:	Oxford Centre (4)	File Ref:	ADM0106
Attachments:	<p>001 – Plan No. 3064-CP-01 002 – Plan No. 3064-CP-01B 003 – Artist Impression</p>		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. NOTES that at its Ordinary Meeting held on 10 September 2013 (Item No. 9.2.2), Council resolved as follows;

“That the Council APPROVES the;

1. *the implementation of the proposal as shown on attached plan No. 3064-CP-01 estimated to cost \$105,000 subject to funding being received from the Commonwealth Government; and*
2. *funding shortfall of \$28,563 to be funded from the Leederville Town Centre – Streetscape and Park Enhancement Budget allocation (of which this project forms part of)”;*
2. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, three (3) Elected Members, namely Cr, Cr and Cr, being one third of the number of offices of Members of Council, SUPPORT this motion to revoke or change part of the Council decision reproduced in 1 above; and
3. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, the Council RESOLVES BY AN ABSOLUTE MAJORITY that clause 1 and 2 of Council’s Decision of 10 September 2014 (Item No. 9.2.2) be amended and that a new clause 3 be added to read as follows;

“That Council;

1. *APPROVES IN PRINCIPLE the revised proposal for the upgrade of the Carr/Newcastle Street intersection as shown on attached plan No. 3064-CP-01B estimated to cost \$310,000 including road rehabilitation and resurfacing;*
2. *CONSULTS with*
 - 2.1 *business and residents in the area bounded by Leederville Parade, Loftus Street, Vincent Street and the Freeway; and*
 - 2.2 *the Taxi Board requesting they provide information/feedback regarding protocols for use of taxi ranks and the suitability of the Newcastle Street rank in terms of number of bays required at this location; and*
3. *RECEIVES a further report at the conclusion of the consultation period”.*

PURPOSE OF REPORT:

The purpose of this report is to seek Council's approval to progress with an alternative proposal for the Newcastle Street/Carr Place intersection in Leederville.

BACKGROUND:

Ordinary Meeting of Council 9 July 2013:

The Council received a report concerning the Federal Government Regional Development Australia Fund (RDAF) Round Five (5) 2013-2014 and approved the Newcastle Street/Carr Place Intersection Project Option Two (2) to be submitted for the 2013/14 RDAF Round Five (5) funding.

August 2013:

The proposal was discussed at the Leederville Town Centre Enhancement Working Group meeting held on 22 August 2013 and the community was consulted regarding the proposal in August 2013. Seven hundred and seventy one (771) consultation packs and attached plans were distributed around the Leederville precinct and at the close of consultation thirty four (34) responses were received with twenty eight (28) in favour and four (4) against the proposal.

September 2013:

In addition, as part of the process a public meeting was held in Leederville on 6 September 2013.

Attendees at the meeting indicated they were in favour of the proposal.

Ordinary Meeting of Council 10 September 2013:

Council considered that matter and made the following decision:

"That the Council APPROVES the;

- 1. the implementation of the proposal as shown on attached plan No. 3064-CP-01 estimated to cost \$105,000 subject to funding being received from the Commonwealth Government; and*
- 2. funding shortfall of \$28,563 to be funded from the Leederville Town Centre – Streetscape and Park Enhancement Budget allocation (of which this project forms part of)."*

DETAILS:

Funding:

No funding was subsequently received from the Federal Government Regional Development Australia Fund (RDAF) Round Five (5) 2013-2014 and Council subsequently allocated \$180,000 for the project in the 2014/2015 draft budget based on the adopted concept plan.

Adopted Proposal: (Attachment 001)

Technical Services revisited the proposal with the aim of providing a better outcome and minimise the loss of on road parking. In reviewing the proposal, in liaison with the City's Place Manager, a number of factors were considered.

Urban Design:

It was considered the adopted proposal did not create a useable open space. It created an enlarged island with no direct benefit to the local business community. It was not an effective use of the space.

Parking:

Parking is at a premium in Leederville and the adopted proposal would result in a loss of approximately three (3) on road parking bays.

Taxi Rank:

The taxi zone runs through the proposed raised pedestrianised area creating a point of conflict between vehicles and pedestrians.

Alternative Proposal: (Attachment 002)

An alternative proposal was presented to the Leederville Enhancement Working Group Meeting held on 9 February 2015 and was well received by the group.

Urban Design:

Retains access to Carr Place from Newcastle Street and creates an urban open space with the potential to function like a Piazza or Town Square. The revised proposal includes:

- A continuous paved area linking pedestrians across the Carr Place/Newcastle Street intersection at the same grade as the existing footpath;
- The future Leederville Major Artwork at the eastern end of the space. The art work would be visible from the major view corridors up Newcastle Street, Carr Place and from Oxford Street;
- The potential for temporary seating;
- Improved landscaping around the existing trees in the form of a retained boundary that would double as informal seating; and
- Use of planter boxes to soften the area with the flexibility to move should the space be used for an event etc.

In addition revised proposal could be used for:

- A space for street performance and events;
- Temporary food stalls; and
- A meeting place and orientation point for visitors.

Parking:

The proposal results in a net gain of eight (8) on road parking bays.

Taxi Rank:

The revised proposal takes the taxi parking away from the pedestrianised area reducing conflict between vehicles and pedestrians.

Council Members Forum – 17 February 2015:

The alternative proposal was presented to this forum where it was generally supported and where there was general consensus that:

- A report be presented to Council in March 2015 recommending that Council rescinds its previous decision regarding the upgrade concept and approve 'in principle' the alternative proposal;
- Further consultation with Leederville community be undertaken;
- If no adverse comments are received, authorise the CEO to proceed with implementation; and
- If adverse comments are received, report back to Council in April 2015.

Taxi Rank:

A Council member raised the issue of the existing taxi rank and also previously sent in the following Council Members Request on the matter.

“Some taxi drivers using the rank on Newcastle Street are blocking Oxford Street as they wait for a taxi to pull away from the front of the rank. This was observed occurring recently one Saturday evening every few minutes. At one time 4 taxis were standing in the queue with taxis entering the queue from Oxford Street South.

Traffic was blocked both North and South unable to turn. It happened continuously over a period of about 20 minutes. The rank has nine spots which some taxis wait in for quite long periods.

- *Are nine taxi spaces necessary in Newcastle Street; and*
- *Are there protocols that are communicated to the taxi industry about the use of this taxi rank?”*

It is recommended that the Officers write to the Taxi Board requesting they provide information/feedback regarding protocols for use of taxi ranks and the suitability of the Newcastle Street rank in terms of number of bays required at this location.

LEGAL/POLICY:

Newcastle Street and Carr Place are under the care control and management of the City of Vincent.

RISK MANAGEMENT IMPLICATIONS:

Low: This proposal will improve the level of service and the amenity of the intersection.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2023* states:

Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

This proposal provides for the creation of additional green space in accordance with City's Sustainable Environment Strategy 2011-2016.

FINANCIAL/BUDGET IMPLICATIONS:

Council allocated \$180,000 in the 2014/2015 budget to undertake the intersection improvements works. The project has not commenced.

Note: A detailed estimate has been prepared and both proposals are similar in cost to implement:

Streetscape Works:

- Remove pavement/kerbing;
- New paving;
- Interlocking pavers;
- New kerbing;
- Flush beams;
- Landscaping;
- Drainage;
- Reinstatements; and
- Traffic Control/set out/supervision/contingency.

Estimated Cost = \$225,000 (Can be part-funded from CIL for Parking reserve if revised option is progressed).

Road Rehabilitation/Resurfacing:

- Mill out roads (Carr Place/Newcastle Street);
- Supply/lay red asphalt; and
- Traffic control/Supervision/Contingency.

Estimated Cost = \$85,000 (To be funded from 2015/2016 Local Roads Program).

Note: Additional funds have been listed for consideration in the 2015/2016 draft budget which is currently being prepared.

COMMENTS:

The existing extensive area of road reservation at the above intersection lends itself to undertaking modifications which will not only improve traffic flow in and out of Carr Place, but will also enable a pedestrian friendly space to be created. Once completed approved art work will be installed in the space created.

5.2.11 Palmerston Street between Randall Street and Stuart Street, Perth - Proposed Extension of Perth Bicycle Network, On Road Cycle Lanes, and other Improvements – Progress Report No. 5

Ward:	South	Date:	20 February 2015
Precinct:	Hyde Park (12)	File Ref:	SC910; SC228
Attachments:	001 – Plan No. 2778-CP-01A 002 – Plan No. 2778-CP-01G 003 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES that:**
 - 1.1 at its Ordinary Meeting held on 26 February 2013 approval was given for the extension of Perth Bicycle Network, on road cycle lanes, and other improvements along Palmerston Street between Randall Street and Stuart Street’, “excluding” the ‘single lane slow point’, as shown on attached Plan No. 2778-CP-01G;
 - 1.2 the ‘single lane slow point’ was inadvertently installed as part of the works;
 - 1.3 residents in the street were recently consulted regarding whether the slow point should remain or be removed with the majority of respondents supporting its retention; and
 - 1.4 if retained, a portion of ‘single lane slow point’ may need to be modified, by the developer of the former ‘Bottleyard’ site, to accommodate future vehicular access to the site;
2. **APPROVES** the retention of the single lane slow point as shown on attached Plan No. 2778-CP-01G, as outlined in the report; and
3. **ADVISES** the respondents of its decision.

PURPOSE OF REPORT:

To request that Council approve the retention of the single lane slow point in Palmerston Street.

BACKGROUND:

Previous Reports to the Council:

A number of reports were reported to Council regarding the On Road Cycle Lanes, and other improvements for the section of Palmerston Street, between Randall Street and Stuart Street.

- Ordinary Council Meeting – 12 February 2013;
- Ordinary Council Meeting – 5 April 2011; and
- Special Council Meeting – 30 August 2011.

Ordinary Council Meeting – 26 February 2013:

At this meeting Council finally gave its approval for the project to proceed and made the following decision:

“That the Council;

1. *NOTES that;*
 - 1.1 *it previously approved the implementation of On Road Cycle Lanes, and other improvements for the section of Palmerston Street between Randall Street and Stuart Street, as shown on plan No. 2778-CP-01A, however following the receipt of a petition and representation from residents the previously approved plan has been revised to incorporate the residents’ concerns; and*
 - 1.2 *further consultation was undertaken from November 2012 to January 2013 on the ‘revised’ Plan No. 2778-CP-01G, which incorporated many of the resident’s concerns; and*
2. *APPROVES the implementation of the On Road Cycle Lanes and associated works, as shown on ‘revised’ Plan No. 2778-CP-01G, excluding the one way treatment, estimated to cost \$150,000, as soon as practical to ensure that the City does not lose its Bikewest funding as it is considered the revised option is the best compromise to address residents’ concerns, subject to the desirability of the one-way treatment being further assessed after a twelve (12) month period”.*

Note: The Council moved an amendment to the Officer recommendation to ‘exclude’ the single lane slow point from the works. The plan presented to Council included the device and unfortunately it was this plan that was issues to the Operations Team ‘in error’ and the single lane slow point was installed, albeit it was not completed.

DETAILS:

Overview:

The single lane slow point was installed in error. As a number of residents had requested traffic calming as part of the works, once the error had been discovered a decision was made that the device not be removed immediately and remains in place, albeit unfinished.

After discussing the matter with the Mayor, Technical Services consulted residents in the street to determine whether there was support for the device to remain or whether the preference was for it to be removed.

Further Consultation:

On 22 January 2015, forty-two (42) letters were distributed in Palmerston Street.

At the close of consultation, fourteen (14) responses were received as follows (as shown in Attachment 003):

- Nine (9) in favour of the slow point remaining
- Four (4) wanting it removed; and
- One (1) recommending an alternative interim measure.

Discussion/Comments:

As can be seen for the feedback received most want the device to remain while some don't feel it's required. One (1) respondent raised concerns with the signage being too far from the device. This would be rectified if the device was made permanent.

Another respondent considered that the device was too close to the future entrance of the proposed new Bottleyard development.

City Officers are aware of this. When the original design was completed the development, now approved, was not proposed. If Council approves the retention of the slow point, if and when the development is nearing completion, the developer will need to liaise with the City and pay for modification/relocation of the device.

A comment was received that the consultation letter was misleading insofar that it indicated that the speed in the street had reduced due to the existence of the slow point and not attributed to the other works carried out in the street i.e. the cycle lanes which had narrowed the street etc. There was no intention to mislead as the officers believed that the presence of the single lane slow point was the main reason for the reduced speed of vehicles in the section of Palmerston Street.

However it is accepted the letter distributed to residents omitted to say the device was installed in error and this was an oversight.

CONSULTATION/ADVERTISING:

Residents in Palmerston Street will be advised of Council's decision.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Medium: Given that Palmerston Street is on the Perth Bicycle Network and is heavily used by cyclists on a daily basis the works are considered important to improve safety and amenity.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2013-2023*, Objective 1 states:

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

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The slow point was installed as part of the works and the costs absorbed in the overall project cost. The completion of the slow point will include signage improvements and minor landscaping at an estimated cost of under \$1,000 which can be funded from the 2014/2015 miscellaneous traffic management budget allocation.

The removal of the slow point and making good is estimated to cost in the order of \$2,000.

COMMENTS:

As mentioned in the report the single lane slow point, while originally forming part of the overall proposal, was installed in error due to Council amending the officer's recommendation and the plan issued for construction not being amended to reflect the Council decision. Also, as a number of residents had requested traffic calming as part of the works the device was not removed immediately and remains in place, albeit unfinished.

It was decided to consult residents in the street specifically on whether they considered the device should remain or be removed and the majority indicated they would like it to remain and the works be completed.

It is therefore recommended that Council approves the retention of the single lane slow point.

5.3 CORPORATE SERVICES

5.3.1 Investment Report as at 31 January 2015

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC1530
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant B C Tan, Manager Financial Services		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 31 January 2015 as detailed in Attachment 001.

PURPOSE OF REPORT:

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

BACKGROUND:

Interest from investments is a significant source of funds for the City, where surplus funds are deposited in the short term money market for various terms. Details are attached in Attachment 001.

The City's Investment Portfolio is spread across several Financial Institutions in accordance with Investment Policy No. 1.2.4.

DETAILS:

Total investments for the period ended 31 January 2015 were \$19,361,000 which is unchanged from the total investments for the period ended 31 December 2014. At 31 January 2014, \$17,811,000 was invested.

Investment comparison table:

	2013-2014	2014-2015
July	\$9,611,000	\$11,311,000
August	\$21,411,000	\$23,111,000
September	\$20,411,000	\$22,111,000
October	\$20,411,000	\$22,411,000
November	\$19,811,000	\$21,111,000
December	\$17,811,000	\$19,361,000
January	\$17,811,000	\$19,361,000

Total accrued interest earned on Investments as at 31 January 2015:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$292,600	\$227,430	\$240,176	82.08
Reserve	\$292,300	\$172,730	\$169,146	57.87

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

Long Term Rating (Standard & Poor) or Equivalent	Short Term Rating (Standard & Poor) or Equivalent	Direct Investments Maximum % With any one institution		Managed Funds Maximum % With any one institution		Maximum % of Total Portfolio	
		Policy	Actual	Policy	Actual	Policy	Actual
AAA Category	A1+	30%	Nil	45%	Nil	100%	Nil
AA Category	A1+	30%	24%	30%	Nil	90%	80%
A Category	A1	20%	11%	30%	Nil	80%	20%
BBB Category	A2	10%	Nil	n/a	Nil	20%	Nil

RISK MANAGEMENT IMPLICATIONS:

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

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

As per City's Investment Policy 1.2.4, funds are invested with various financial institutions with Long Term and Short Term Rating (Standard & Poor) or equivalent by obtaining more than three (3) quotations. These funds are spread across various institutions and invested as Term Deposits from one (1) to twelve (12) months to reduce risk.

STRATEGIC IMPLICATIONS:

Strategic Plan 2013-2023:

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

4.1.2 Manage the organisation in a responsible, efficient and accountable manner;

- (a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”*

SUSTAINABILITY IMPLICATIONS:

The City exercises prudent but sound treasury management in accordance with the City's Investment Policy No. 1.2.4 to effectively manage a higher than expected rate of return of the City's cash resources within acceptable risk parameters.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details and comments section of the report. Overall the conclusion can be drawn that appropriate and responsible measures are in place to protect the City's financial assets and to ensure the accountability of the management.

COMMENT:

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

The funds invested have remained unchanged from the previous period. However, as per City's policy, investments that have matured during this period have been transferred across various financial institutions to obtain the best interest rates.

The City has obtained an average interest rate for investments at 3.47% as compared to 90 days Accepted Bill's 2.70%. As of January 2015, our actuals are over budget estimates. Interest earned on Municipal Investment is higher as compared to Reserve funds due to more funds available in Municipal funds after budget adjustment in September 2014.

The year to date Municipal interest revenue is 82% over annual budget and the Reserve interest is 58% of annual budget. Based on the current trend, we will be able to achieve the budgeted revenue.

The report comprises of:

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

5.3.2 Authorisation of Expenditure for the Period 1 – 31 January 2015

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC347
Attachments:	001 – Creditors Report 002 – Credit Card Report		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; B Tan, Manager Financial Services		
Responsible Officer:	J Anthony, A/Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **CONFIRMS** the;

1. **Schedule of Accounts for the period 1 January – 31 January 2015 and the list of payments including credit cards;**
2. **direct lodgement of payroll payments to the personal bank account of employees;**
3. **direct lodgement of PAYG taxes to the Australian Taxation Office;**
4. **direct lodgement of Child Support to the Australian Taxation Office;**
5. **direct lodgement of creditors payments to the individual bank accounts of creditors; and**
6. **direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;**

paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 as shown in Attachment 001.

PURPOSE OF REPORT:

To present to Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 January – 31 January 2015.

BACKGROUND:

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

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

DETAILS:

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

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Automatic Cheques	77657 - 77771	\$232,577.13
Cancelled Cheques	77695	
Transfer of Creditors by EFT Batch	1744, 1746, 1747, 1749, 1750	\$1,683,503.22
Transfer of PAYG Tax by EFT	January 2015	\$420,385.02
Transfer of GST by EFT	January 2015	
Transfer of Child Support by EFT	January 2015	\$1,265.86
Transfer of Superannuation by EFT:		
• City of Perth	January 2015	\$26,265.45
• Local Government	January 2015	
Total		\$2,363,996.68
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$7,129.39
Lease Fees		\$171,896.31
Corporate MasterCards		\$8,281.06
Loan Repayment		\$164,253.83
Rejection fees		\$2.50
Total Bank Charges & Other Direct Debits		\$351,563.09
Less GST effect on Advance Account		0.00
Total Payments		\$2,715,559.77

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2013-2023:

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

4.1.2 Manage the organisation in a responsible, efficient and accountable manner;

(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”

SUSTAINABILITY IMPLICATIONS:

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

ADVERTISING/CONSULTATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENT:

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

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

5.3.3 Financial Statements as at 31 January 2015

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC357
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	N Makwana, Accounting Officer B Wong, Accountant B Tan, Manager Financial Services		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 31 January 2015 as shown in Attachment 001.

PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 31 January 2015.

BACKGROUND:

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

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

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

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

DETAILS:

The following documents, included as Attachment 001 represent the Statement of Financial Activity for the period ending 31 January 2015:

Note	Description	Page
1.	Summary of Income and Expenditure by Service Areas	1-30
2.	Statement of Financial Activity by Programme Report and Graph	31-32
3.	Statement of Comprehensive Income by Nature and Type Report	33
4.	Statement of Financial Position	34
5.	Statement of Changes in Equity	35
6.	Net Current Funding Position	36
7.	Capital Works Schedule and Funding and Graph	37-43
8.	Cash Backed Reserves	44
9.	Receivables	45
10.	Rating Information and Graph	46-47
11.	Beatty Park Leisure Centre Report – Financial Position	48
12.	Explanation of Material Variance	49-58

The following table provides a summary view of the year to date actual, compared to the Original (Adopted), Revised and Year to date Budget.

Summary of Financial Activity as at 31 January 2015

	Original Budget \$	Revised Budget \$	Year to date Budget \$	Actual 2014/2015 \$	Variance \$	Variance %
Operating Revenue	30,810,822	30,818,072	16,868,943	15,816,987	(1,051,956)	-6%
Operating Expenditure	(51,659,410)	(51,334,021)	(30,514,410)	(29,574,302)	940,108	-3%
Add Deferred Rates Adjustment	-	-	-	19,051	19,051	0%
Add Back Depreciation	8,566,790	8,566,790	4,997,356	6,543,030	1,545,674	31%
(Profit)/Loss on Asset Disposal	(3,833,120)	(3,840,370)	(1,937,623)	(1,141,645)	795,978	-41%
Net Operating Excluding Rates	(16,114,918)	(15,789,529)	(10,585,734)	(8,336,879)	2,248,855	-21%
Proceeds from Disposal of Assets	4,455,000	5,605,000	2,042,833	1,294,080	(748,753)	-37%
Transfer from Reserves	5,789,800	5,758,752	5,691,343	3,825,548	(1,865,795)	-33%
	10,244,800	11,363,752	7,734,176	5,119,628	(2,614,548)	-34%
Capital Expenditure	(16,895,834)	(13,291,534)	(8,779,321)	(4,942,689)	3,836,632	-44%
Repayments Loan Capital	(1,743,478)	(1,743,478)	(497,912)	(497,912)	-	0%
Transfers to Reserve	(5,599,370)	(4,248,453)	(1,706,599)	(2,480,672)	(774,073)	45%
	(24,238,682)	(19,283,465)	(10,983,832)	(7,921,273)	3,062,559	-28%
Net Capital	(13,993,882)	(7,919,713)	(3,249,656)	(2,801,646)	448,010	-14%
Total Net Operating and Capital	(30,108,800)	(23,709,242)	(13,835,390)	(11,138,525)	2,696,865	-19%
Rates	26,909,021	26,909,021	26,778,318	27,360,926	582,607	2%
Opening Funding Surplus/ (Deficit)	3,199,779	(3,199,779)	(3,199,779)	(4,758,710)	(1,558,931)	49%
Closing Surplus/(Deficit)	-	-	9,743,149	11,463,691	1,720,542	18%

**Summary totals has rounding difference.*

It should be noted that the Revised Budget where referenced in these Statements does not take into account the result of the Mid-Year Budget Review approved by Council on 10 February 2015. The Budgets are being updated and will be reported in the February Financial Statement.

Comments on Summary of Financial Activity:

Operating Revenue

Revenue excluding Rates is 6% under budget. Total Revenue including Rates is operating at 101% to budget, whereby some service areas have a variance that is favourable and other service areas have a variance that is unfavourable as per the following:

- LGIS Member Experience Bonus for 2013 - 2014 was more than anticipated.
- Reimbursement for expenses related to 2013 - 2014 was received in the current financial year;
- Grant received under Programme Fees Heritage for Anzac Cottage internal and external interpretation plan;
- Higher than anticipated number of building licences being issued due to higher number of development applications received;
- Works and Operations Services revenue is higher due to collection of administration fees on works bonds for works carried out by the Council; and
- Car park and Kerbside parking revenue is lower due to timing of events and faults with old ticket machines.
- Parking Infringements and Fines is running behind budget.

Operating Expenditure

The positive variance is currently at 3%.

Depreciation

This unfavourable variance is a result of the increase in depreciation following Fair Value valuation on the City's Land and Buildings. It should be noted that depreciation is a non cash item.

Proceeds from Disposal of Assets

The current unfavourable variance relates primarily to the timing of disposal of land assets.

Transfer from Reserves

This is in a favourable position as the Transfer from Reserves is aligned to the timing of Capital Works projects that are Reserves funded.

Capital Expenditure

The positive variance is attributed to the scheduling and progress of projects within the Capital Works Program, particularly Infrastructure Asset projects. For further detail, refer to Note 7 on Attachment 001.

Transfer to Reserves

Variance due to transfer of Leederville Garden's Surplus from 2011 to 2012 financial year.

Rates

The positive variance is due to additional properties being reported and received after the budget rates model was run. This included new properties and revalued properties previously not included on the revaluation file, resulting in increased revenue.

Opening Funding Surplus/(Deficit)

The Revised Budget included an estimated Deficit Opening Balance of (3,199,779). The Closing Balance was subsequently reported in the Annual Financial Statement for 2013/14 as (4,758,710), creating a substantial negative variance for the Opening Funding Position for 2014/15.

Closing Surplus/(Deficit)

There is currently a surplus of \$11,463,691 compared to year to date estimate of \$9,743,149. This is substantially attributed to the current level of Capital Expenditure and the positive variance is not expected to be maintained through to the end of year position.

1. SIGNIFICANT ACCOUNTING POLICIES AND NOTES

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

Comments on the financial performance are set out below:

2. As per Attachment 001.

3. Statement of Financial Activity by Programme Report (Note 2)

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

4. Statement of Comprehensive Income by Nature and Type Report (Note 3)

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

5. Statement of Financial Position (Note 4) and

6. Statement of Changes in Equity (Note 5)

The statement shows the current assets of \$26,608,330 and non-current assets of \$243,167,310 for total assets of \$269,775,640.

The current liabilities amount to \$8,690,852 and non-current liabilities of \$17,956,338 for the total liabilities of \$26,647,191.

The net asset of the City or Equity is \$243,128,449.

7. Net Current Assets (Note 6)

Net Current Asset is the difference between the current asset and current liabilities less committed assets and restricted assets. This amount indicates how much capital is used up by day to day activities.

The net current funding position as at 31 January 2015 is \$11,463,691.

8. Capital Expenditure and Funding Summary (Note 7)

The following table is a Summary of the 2014/2015 Capital Expenditure Budget by programme, which compares the Revised and Year to date Budget with actual expenditure to date. The full Capital Works Programme is listed in detail in Note 7 of Attachment 001.

	Revised Budget \$	Year to date Budget \$	Actual to Date \$	Variance %
Furniture & Equipment	153,625	151,825	9,251	6%
Plant & Equipment	1,065,167	530,340	820,934	174%
Land & Building	1,038,275	573,275	258,743	45%
Infrastructure	11,034,467	7,523,881	3,672,712	49%
Total	13,291,534	8,779,321	4,861,640	55%

	Revised Budget \$	Year to date Budget \$	Actual to Date \$	Variance %
Capital Grant and Contribution	3,048,092	495,438	510,019	103%
Cash Backed Reserves	3,710,800	4,322,661	3,825,547	88%
Other (Disposal/Trade In)	134,000	134,000	118,336	88%
Own Source Funding – Municipal	6,398,642	3,827,222	407,737	11%
Total	13,291,534	8,779,321	4,861,640	55%

Note: Detailed analyses are included on page 37 – 42 of Attachment 001.

9. Cash Backed Reserves (Note 8)

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

The balance as at 31 January 2015 is \$7,349,202. The balance as at 31 December 2014 was \$7,302,475.

10. Receivables (Note 9)

Other Receivables 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. Receivables of \$859,080 are outstanding at the end of January 2015.

Out of the total debt, \$477,369 (55.6%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking. The Cash in Lieu Parking debtors have special payment arrangements for more than one year.

The Receivables Report identifies significant balances that are well overdue.

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

11. Rating Information (Note 10)

The notices for rates and charges levied for 2014/15 were issued on 21 July 2014.

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

First Instalment	25 August 2014
Second Instalment	27 October 2014
Third Instalment	5 January 2015
Fourth Instalment	9 March 2015

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

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$12.00 per instalment
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 31 January 2015 including deferred rates was \$3,676,979 which represents 13.34% of the outstanding collectable income compared to 13.37% at the same time last year.

12. Beatty Park Leisure Centre – Financial Position Report (Note 11)

As at 31 January 2015 the operating deficit for the Centre was \$157,633 in comparison to the year to date revised budgeted surplus of \$222,784.

The revised January budget estimates for Beatty Park Leisure Centre were mostly under or less than the actual expenditure incurred or revenue received, therefore the overall actual deficit figure was higher than anticipated. This has been detailed in the variance comments report in Attachment 001.

The cash position showed a current cash surplus of \$286,876 in comparison year to date revised budget estimate of a cash surplus of \$531,981. The cash position is calculated by adding back depreciation to the operating position.

13. Explanation of Material Variances (Note 12)

The material threshold adopted this year is 10% or \$10,000 to be used in the preparation of the statements of financial activity when highlighting material variance in accordance with Financial Management Regulation 34(1) (d).

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

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2023:

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

4.1.2 Manage the organisation in a responsible, efficient and accountable manner;

(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

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

5.4 COMMUNITY SERVICES

5.4.1 Weld Square Public Artwork – Progress Report No. 1

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC1774
Attachments:	001 – CONFIDENTIAL: Jenny Dawson and Sandra Hill Public Art Concept submission titled 'Interactive Sound Sculpture and Story Mosaic' for Weld Square (Council Members Only) 002 – CONFIDENTIAL: Jenny Dawson and Sandra Hill Public Art Concept submission titled 'Story Tower Markers' for Weld Square (Council Members Only) 003 – Selected Public Art Concept for Weld Square Jenny Dawson and Sandra Hill.		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES** Progress Report No. 1 relating to the Weld Square Public Artwork;
2. **APPROVES:**
 - 2.1 **The appointment of the Artist Team Jenny Dawson and Sandra Hill; and**
 - 2.2 **The commissioning of the Public Art Concept as detailed in Confidential Attachments 001 and 002 for the Weld Square Public Artwork; and**
3. **NOTES** that a further report will be presented to Council once further work has been progressed on the project.

PURPOSE OF REPORT:

The purpose of this report is to seek Council approval for the appointment of Artist Team, Jenny Dawson and Sandra Hill, and the commissioning of their Public Art Concept, 'Interactive Sound Sculpture and Story Mosaic', as detailed in Confidential Attachment 001 and shown in Attachment 003 for the Weld Square Public Artwork.

BACKGROUND:

At the Ordinary Meeting of Council held on 24 September 2013, the following was resolved;

"That the Council;

1. *NOTES the progress report regarding the procurement of artwork in Weld Square;*
2. *NOTES the offer from the Metropolitan Redevelopment Authority of up to \$28,000 (inclusive of GST) as a contribution towards an alternative item within Weld Square.*
3. *AUTHORISES the Chief Executive Officer to write to the Metropolitan Redevelopment Authority accepting the conditions of the financial contribution and informing them of the City's planned direction for the procurement of artwork in Weld Square;*
4. *NOTES a progress report will be submitted to the Council on the project by no later than December 2013; and*
5. *APPROVES the appointment of Helen Curtis to coordinate the selection and installation of the Weld Square artwork and requests that she does this with input from the relevant stakeholders identified within the report."*

DETAILS:

On 18 July 2014, the City of Vincent advertised an Expression of Interest for the Weld Square Public Art Project. The closing date was 25 August 2014 which resulted in one (1) Artist Team submitting an Expression of Interest in the project.

The Art Coordinator appointed to this project, Helen Curtis, recommended that the sole Artist Team of Jenny Dawson and Sandra Hill be invited to submit two (2) Artwork Concept Proposals to be assessed by a Selection Panel, with cultural advice from a specially appointed Aboriginal Reference Group.

On Friday 28 November 2014, a site visit at Weld Square was held with the sole Artist Team. The Coordinator Arts and Creativity and the Art Consultant, Ms Curtis, were in attendance to provide information and answer any queries raised by the Artist Team. The Artist Team was required to submit two (2) Artwork Concept Proposals by 4pm, Friday 27 January 2015.

A selection panel convened on Friday 30 January 2015 to assess the two (2) submissions.

The selection panel included the following:

- Mandy Corunna, Cultural Advisor;
- Dr Ric Spencer, Curator Fremantle Arts Centre;
- Eden Shepherd, Principal Urban Designer Metropolitan Redevelopment Authority;
- Angela Birch, Acting Manager Community Development, City of Vincent; and
- Yvette Coyne, Coordinator Arts and Creativity, City of Vincent.

Artist Concept Proposals

Two (2) Artist Concept Proposals were submitted by the Artist Team Jenny Dawson and Sandra Hill.

Confidential Attachment 001 details the recommended Artist Concept Proposal, titled 'Interactive Sound Sculpture and Story Mosaic'. This is the preferred concept of the Selection Panel. 'Interactive Sound Sculpture and Story Mosaic' is an interactive sound sculpture, seat and story mosaic. The work consists of a colourful ceramic mosaic design base, a metal seat and an etched metal story plinth with recorded stories of the Coolbaroo League told by elders. The seat will provide a reflective place to sit and view the mosaic artwork, whilst listening to recorded audio stories from Elders. Design Documentation may determine the seat needs to be wooden with metal elements so as to be practical for use. The mosaic itself will pay homage to the traditional owners, the Whudjuck people, their dreaming, the Derbarl Yerrigan (Swan River and Perth Wetlands). The artists have indicated the involvement of Whudjuck Elders to leave their mark in the clay with handwritten text. During the presentation, samples of clay and ceramic materials were presented to the panel, including ceramics imprinted with Western Australian leaves which would symbolise a unity of Aboriginal people from different areas of Western Australia. The area of the mosaic will also allow for a small garden bed, where bush tucker plants could be cultivated.

Confidential Attachment 002 details the submitted Artist Concept Proposal titled 'Story Tower Markers'. This concept consists of three (3) metal plinths, with etching of imagery relevant to the Coolbaroo League, and beginnings of the Aboriginal Advancement Council that was situated opposite Weld Square. The plinths would be various heights ranging from 1.9 metres to 2.3 metres. Two (2) plinths would be hollow square shapes, the third plinth would also be hollow but triangular in shape. All three (3) 'Story Tower Markers' would be lit from within and be illuminated at night.

Panel Recommendation

The Artist Concept Proposals were individually assessed by the Selection Panel members on the responses to the selection criteria contained in the Request for Proposal document and through presentation by the Artist Team.

Art Consultant Ms. Curtis was confident that the Artist Team complied with the selection criteria, have a high level of expertise and a proven record of completing quality works on time, to budget, with minimal risk.

The selection criterion were weighted as follows:

Criteria	Weighting
Response to Brief: - Strength of proposed artistic approach and methodology. - Response to the brief and the site.	50%
Demonstrated ability to achieve the project meeting the program and budget.	25%
Value for money	25%

The Artwork Concept Proposals were assessed as follows:

Concept Title	Score
Interactive Sound Sculpture and Story Mosaic	84.5%
Story Tower Markers	68.5%

Selection Panel Comments for Concept 1 – ‘Interactive Sound Sculpture and Story Mosaic’:

- Very strong proposal;
- Strong communication of Nyungar stories;
- Incorporates multiple elements; sound, mosaic, photographs, images of ephemera and seating;
- No shelter from the sun; would require some shade. This is to be considered in conjunction with the Parks and Property Services Team for options available for this location;
- Artist Team needs more time to deliver the project;
- Artist Team have proven track record of delivering excellent projects; and
- Excellent value for money.

Selection Panel Comments for Concept 2 – ‘Story Tower Markers’:

- Strong communication of stories;
- Sound component required in RFP not delivered;
- The space is too big for the plinths; and
- Images only on one side due to the expense of etching and budget limitations.

Following assessment by the panel, the concept titled ‘Interactive Sound Sculpture and Story Mosaic’, was recommended for commission. The recommendation of the selection panel is for the commissioning of Artist Team Jenny Dawson and Sandra Hill and their Public Art Concept, as detailed in the body of this report in Confidential Attachment 001 and shown in Attachment 003, for the Weld Square Public Artwork.

CONSULTATION/ADVERTISING:

The Aboriginal Reference Group (ARG) were asked to assess the proposals in terms of their cultural appropriateness and included the following people:

- Mandy Corunna, Aboriginal Cultural Advisor;
- Esandra Colbung, Aboriginal Advisor;
- Richard Wilkes, Aboriginal Advisor; and
- Rebecca Hume, Aboriginal Advisor.

The members of the ARG endorsed both of the Artist's Proposals with an absolute majority with the following conditions attached:

- the Elders must be appropriately consulted;
- the Elders must include but is not limited to Corrie Bodney, Patrick Hume and Shirley Corunna;
- the Artist Team should consider the payment for oral histories and photographs or other images used in the artwork;
- the project should refer to the *Coolbaroo League* at all times, the name *Coolbaroo Club* should not be used;
- there should be some reference to the Aboriginal Advancement Council; and
- the Artist Team should be informed that Nat King Cole did not attend a Coolbaroo League dance, the League went to visit Nat King Cole.

The Artist Brief was advertised through various avenues including the City's website, the City's social media including E-Newsletters and Facebook, Artsource E Bulletin, the National Association of Visual Art 'Art Wires' newsletter, selected galleries and the Arts Consultant's extensive database of professional artists.

LEGAL/POLICY:

- City of Vincent Policy No. 1.2.3 '*Purchasing*';
- City of Vincent Policy No. 3.10.7 '*Art*'; and
- WALGA Purchasing and Tender Guide.

RISK MANAGEMENT IMPLICATIONS:

Moderate: The engagement of an Arts Consultant may assist in ensuring specialist advice is on hand to Council Members in the protocols and processes of Arts acquisition and procurement.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2013-2023* states:

"3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity. "

SUSTAINABILITY IMPLICATIONS:

The Arts Consultant will be required to adhere to the sustainability principles and policies that are endorsed and in practice at the City.

FINANCIAL/BUDGET IMPLICATIONS:

The cost for this project is split over two financial years. \$60,000 is budgeted for the current 2014/2015 Financial Year, with \$50,000 listed for consideration on the Draft Budget 2015/2016.

Art Coordinator	\$ 11,470
Shortlist Concept	\$ 1,500
Artwork Commission	\$ 82,500
Cultural Advisors	\$ 1,600
Power to site	\$ 3,030
Landscaping	\$ 8,000
Contingency	\$ 1,900
Total	\$110,000

COMMENTS:

The land on which Weld Square now sits was once part of a series of wetlands, which drained into the Swan River. It was used by Nyoongar people as a camping ground and meeting place and continues to have great importance for Aboriginal people. The opportunity to engage the wider public with stories of what was a very important piece of local history is great with this artwork.

The recommended artwork for Weld Square is detailed in Confidential Attachment 001, and shown in Attachment 003, and is titled 'Interactive Sound Sculpture and Story Mosaic'. This concept provides value for money with three (3) elements of the mosaic, seat, and interactive sound tower that form the complete artwork. The Artist Team, Jenny Dawson and Sandra Hill, are well respected with a reputation to deliver quality work. The concept was heavily endorsed by the Aboriginal Reference Group as an important piece of public art that is meaningful to the ancestors of many families whose relatives once danced at the Coolbaroo League.

5.4.2 Amendment to Policy No. 7.5.13 Relating to Percentage for Public Art

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC1562
Attachments:	001 – Draft Amended Policy No. 7.5.13 ‘Percentage for Public Art’		
Tabled Items:	Nil		
Reporting Officer:	A Birch, Acting Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **ENDORSES** the proposed amendments to Policy No. 7.5.13 ‘Percentage for Public Art’ as shown in Attachment 001;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 **Advertise** the proposed amendments to Policy No. 7.5.13 ‘Percentage for Public Art’ for a period of twenty-one (21) days, seeking public comment; and
 - 2.2 **Review** the Policy No. 7.5.13 ‘Percentage for Public Art’ having regard to any written submissions; and
3. **RECEIVES** a further report on the matter at the conclusion of the public comment period.

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Amended Policy No. 7.5.13 relating to Percentage for Public Art for consideration by Council, and to seek Council’s approval to advertise the Draft Amended Policy.

BACKGROUND:

Reports considered by Council relating to Policy No. 7.5.13 – Percentage for Public Art are as follows:

Ordinary Meeting of Council	Outcome
24 August 1998	Council adopted a Policy relating to Percent for Art Scheme.
9 March 2004	The City’s Policy No. 1.1.8 Percent for Art Scheme was amended.
13 March 2007	Council resolved to amend the City’s Policy No. 1.1.8 relating to Percent for Art Scheme.
24 July 2007	Council approved in principle the amendments to Policy No. 1.1.8 relating to Percent for Art Scheme.
22 April 2008	Council resolved to rescind Policy No. 1.1.8 relating to Percent for Art Scheme to rationalise the Policies into one document Policy No. 3.5.12 relating to Percentage for Public Art.
24 June 2008	Council adopted the final version of Policy No. 3.5.12 relating to Percentage for Public Art.

24 May 2011	Council endorsed to advertise the Draft Amended Policy No. 3.5.13 relating to Percentage for Public Art.
27 September 2011	Council adopted the amended version of Policy No. 3.5.13 relating to Percentage for Public Art.
4 December 2012	A Notice of Motion was adopted by Council requesting a review of the City's Policy No. 3.5.13 relating to Percentage for Public Art to amend the threshold value definition, to amend the determination of the threshold value, to amend the location for artworks, to amend the value to be invested in public art for projects with a total cost greater than \$50,000,000, and to include a clause requiring the owner/applicant to provide the City a project receipt for the full amount of contribution at the completion of the project.
26 February 2013	Council resolved to amend the City's Policy No. 3.5.13 relating to Percentage for Public Art.
28 May 2013	Council approved the amended Policy No. 3.5.13 relating to Percentage for Public Art. Policy changes included amending the numbering of the Policy, amending a clause where projects with a total cost greater than \$50,000,000 will have a minimum of \$500,000 to be invested in public art, and a clause on what Public Art projects could not consist of were added.
9 September 2014	Council approved the amended Percent for Public Art Guidelines and Policy.
9 December 2014	Proposed amendments relating to Policy No. 7.5.13 relating to Percentage for Public Art were presented at a Council Forum.
27 January 2015	Refined proposed amendments relating to Policy No. 7.5.13 relating to Percentage for Public Art were presented at a Council Forum.
17 February 2015	Final proposed amendments relating to Policy No. 7.5.13 relating to Percentage for Public Art were presented at a Council Forum.

At the Council Forum held on 17 February 2015, the final proposed amendments to Policy No. 7.5.13 relating to Percentage for Public Art were presented.

In the past, the City has requested that the Owner/Applicant provide a Public Art proposal to the City's Coordinator of Arts and Creativity prior to the building permit being issued, and if the Owner/Applicant did not comply, the building permit would not be issued until the Percentage for Public Art requirements had been met. The changes to the Percentage for Public Art Policy, outlined in the detail of this report, are suggested to ensure that there are sufficient measures in place to guarantee Owners/Applicants comply with the Public Art requirements outlined by the City.

DETAIL

The below table details the proposed amendments to Policy No. 7.5.13 relating to Percentage for Public Art.

Clause Amendments	Comments
Definition of Professional Artist	The refinement of the definition of Professional Artist clarifies that the Percentage for Public Art scheme is not an emerging artist initiative and will assist to produce Public Artwork of a high quality.
1.4 Following the approval of the development application and prior to the commencement of development the owner/applicant is required to complete a statutory declaration submitted to the City stipulating the choice of: Option 1: Owner/Applicant chooses to co-ordinate the Public Art project themselves Or Option 2: Owner/Applicant chooses to pay cash-in-lieu. <u>Owner/Applicants who choose Option 2 will receive a 10% discount on the percent for art contribution.</u>	The addition of a 10% discount for Cash in Lieu provides the Owner/Applicant a greater incentive to choose Option 2, which in turn provides the City with a higher Public Art budget.
2.2.1 professional artist's budget, including artist fees, material, assistants' labour costs, insurance, permits, taxes, business and legal expenses, <u>and operating costs;</u> and art consultant's fees if required these are necessary and reasonable;	The removal of the phrase relating to 'art consultant's fees' required elaboration and has therefore been listed separately in greater detail (2.2.3).
2.2.3 art consultant's fees if required, which must not exceed 15% of the total artwork project cost, unless the project is of a complicated nature. In such a case, the developer must seek approval from the City's Chief Executive Officer to increase the art consultant's fees.	The addition of the criterion, ' <i>must not exceed 15% of the total artwork project cost</i> ' is to ensure that the City obtains the most value for money for each artwork. The industry standard for art consultant's fees ranges between 10% and 20%, for projects between \$100,000 and \$150,000. If the project is of a particularly complicated nature, the clause allows the Owner/Applicant to seek approval from the City's Chief Executive Officer to increase the art consultant's fees.
2.3 Public Art projects may include <u>the following, subject to approval at the discretion of the City's Chief Executive Officer;</u>	The addition of the criterion, ' <i>subject to approval at the discretion of the City's Chief Executive Officer</i> ' is to ensure that all proposed artworks are truly unique artworks and satisfy the City's criteria as such.
2.3.1 building features and enhancements such as bicycle racks, gates, benches, fountains, playground structures or shade structures which are unique and produced by a professional artist;	The removal of these criteria is to ensure there is no refund to the Owner/Applicant on items that would otherwise already be included in the development.
2.3.2 landscape art enhancements such as walkways, bridges or art features within a garden;	

Clause Amendments	Comments
<p>2.7 If the proposed art work is to be located on public land, the City will advertise the proposed Public Art for public comment for a minimum of twenty-one (21) days. Any submissions received at the close of the public consultation period will be reported to the Council for consideration.</p>	<p>The clause regarding public comment has been removed because the Community Consultation Policy has been amended and the City is no longer required to advertise proposed Public Art for public comment.</p>
<p>3.1.3 Expended on a Public Art project located on public land within the vicinity of the area; and</p>	<p>The removal of “<i>within the vicinity of the area</i>” provides the City with more freedom to choose more appropriate locations for public art within the City through the Cash-in-Lieu option.</p>
<p>3.1.4 Refunded to the Owner/Applicant, if the development does not proceed. <u>If substantial commencement of development has begun, in line with City Policy No. 7.5.4 Substantial Commencement of Development, the cash-in-lieu payment will remain with the City and will not be refunded, regardless of whether the development is completed. Exceptions to this must be applied to the City’s Chief Executive Officer prior to substantial commencement of development with reasons and are not guaranteed to be approved.</u></p>	<p>The addition of the criterion of a forfeit of refund is to enable the City to safely redistribute funds paid as cash-in-lieu. If the Owner/Applicant does not proceed with the development once substantial commencement of development has started, the Cash in Lieu is not refundable.</p> <p>Exceptions to this can be made, upon application to and approval by the Chief Executive Officer.</p>
<p>3.2 Cash-in-lieu funds paid in relation to more than one development in close proximity may be accrued for more comprehensive or detailed Public Art projects as determined by the City.</p>	<p>The removal of “in close proximity” provides the City with more flexibility to accrue funds from numerous cash-in-lieu payments.</p>
<p>3.4 <u>Cash-in-lieu payments are to be made to the City upon building license approval.</u></p>	<p>The addition of the criterion ‘<i>cash-in-lieu payments are to be made to the City upon building license approval</i>’ is to ensure the Owner/Applicant makes the cash-in-lieu payment prior to occupation. Specifically for cash-in-lieu to be made at the building license stage to allow the City’s Officers time to consider Public Art options.</p>
<p>3.5 <u>Public Art projects utilising cash-in-lieu payments made through this Policy must have final approval by Council prior to commissioning.</u></p>	<p>The addition of this criterion is to clarify the process required for the City to complete Public Art projects utilising cash-in-lieu payments.</p>
<p>4.1.2 <u>The Owner/Applicant is encouraged to consider the artwork at the design stage of the development to ensure the best possible outcome;</u></p>	<p>The addition of the criterion ‘<i>the Owner/Applicant is encouraged to consider the artwork at the design stage</i>’ is to avoid a situation currently commonly occurring, where artwork is not considered until the building design is completed, often resulting in artworks that are not congruent or integrated with the development.</p>
<p>4.1.3 The Owner/Applicant provides a Public Art proposal for consideration by the City’s Coordinator Arts and Creativity <u>within 90 days from the date the statutory declaration is submitted to the City;</u></p>	<p>The criteria ‘<i>within 90 days from the date the statutory declaration is submitted to the City</i>’ had been added because the City can no longer restrict the Owner/Applicant from acquiring a building license because they have not submitted a public art proposal.</p>

Clause Amendments	Comments
	The 90-day timeframe will ensure there is a deadline for Owners/ Applicants to adhere to. 90 days was chosen as a timeframe to allow sufficient time to consider and choose an artist and medium for the public art project.
4.1.5 The Owner/Applicant <u>seeks the City's approval for their chosen professional artist</u> , enters into a contract with their chosen <u>professional</u> artist, submits an Application for Art Work Design to the City, and obtains full project approval from the City;	The addition of " <i>seeks the City's approval for their chosen professional artist</i> " is to clarify that the artist an Owner/Applicant chooses must be a professional, as defined by this Policy. It further assists to ensure the Public Art is of a high quality.
4.2 Location of Public Art The City encourages Owners/Applicants to situate the Public Art on private property within the relevant development, <u>in a location that is highly visible to the public realm</u> . However, the City may also consider proposals to install Public Art on public land as considered appropriate by the City.	The addition of the criterion ' <i>in a location that is highly visible to the public realm.</i> ' Is to ensure that the artwork is for the general public and not secured solely for the development's occupants.

CONSULTATION/ADVERTISING:

The Policy will be advertised as per Policy No. 4.1.5 'Community Consultation'.

LEGAL/POLICY:

- Policy No. 4.1.5 'Community Consultation'; and
- Policy No. 7.5.13 'Percentage for Public Art'.

RISK MANAGEMENT IMPLICATIONS:

Low: The amendments to the Policy have been considered and deemed to be low risk.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Community Plan 2013-2023*, the following Objectives state:

- "1.1.1 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.*
- 3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity.*
- 4.1.4 *Plan effectively for the future."*

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The City's Policy relating to Percent for Public Art has been a success since its inception in 1998. The Policy and its conditions are rarely challenged as it has been widely accepted and supported by the community and applicants. The changes proposed should not be a detriment to the previous success that the Policy holds.

The amendment and introduction of the criteria detailed in this report will ensure the Percentage for Public Art Policy is concise and provides Owners/Applicants with a succinct set of guidelines to follow when they are developing their art concepts. It will also assist to ensure the artwork that is developed as a result of the Policy are of a high quality and are well integrated into the design of the development and are not an afterthought.

The current restrictions in regards to proximity for the Cash in Lieu projects means the City is unable to pool multiple Cash in Lieu contributions towards commissioning artworks with significant budgets. Having the flexibility to pool contributions allows bigger public art budgets to commission higher calibre and more compelling artworks for the City.

The proposed amendment to the timeframe in which a refund will be provided to an Owner/Applicant should they not proceed with a development will provide the City with quicker and secure access to the Cash-in-Lieu funds to coordinate the commissioning of Public Art works.

In light of the above, it is requested that the Council approves advertising of the Draft Amended Policy No. 7.5.13 relating to Percentage for Public Art as the changes prescribed will not be detrimental to the successful operation of the Policy.

5.4.3 Community Sporting and Recreation Facility Fund (CSRFF) – Grant Application

Ward:	South	Date:	20 February 2015
Precinct:	Leederville (3)	File Ref:	SC1203
Attachments:	001 – CONFIDENTIAL: Leederville Tennis Club CSRFF application		
Tabled Items:	Nil		
Reporting Officer:	A Birch, Acting Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council:

- APPROVES** the lodgement of the following application to the Department of Sport and Recreation (DSR) to benefit from the Community Sport and Recreation Facility Fund (CSRFF); and

Ranking	Facility	Project	Amount
1	Leederville Tennis Club	Repair and resurfacing of six (6) courts, both hard and synthetic grass	\$101,030 (exclusive of GST)

- LISTS** for consideration the amount of \$33,676 (excl. GST) on the Draft Budget 2015/2016, subject to matched funds being approved by the Department of Sport and Recreation.

PURPOSE OF REPORT:

To obtain Council’s approval to endorse the Community Sport and Recreation Facility Fund (CSRFF) Small Grants application from the Leederville Tennis Club as shown in Attachment 001 and to list for consideration the amount of \$33,676 on the Draft Budget 2015/2016, subject to matched funds being approved by the Department of Sport and Recreation (DSR).

BACKGROUND:

The purpose of the CSRFF Small Grants is to assist community groups and Local Government authorities to develop well-planned facilities for sport and recreation for communities. The types of projects that will be considered for funding under the Small Grants category will include projects that involve the basic level of planning. The total project cost for the Small Grants must not exceed \$200,000 (excl. GST), with DSR contributing up to one third of the total project cost.

On 2 February 2015, the CSRFF 2015/2016 Small Grant round opened; applications were due to be lodged with the City by Friday, 13 February 2015 and to DSR by Tuesday, 31 March 2015. These funds must be acquitted prior to 15 June 2016.

On Friday, 13 February 2015, Leederville Tennis Club submitted their CSRFF Grant application to the City of Vincent for consideration.

DETAILS:

Leederville Tennis Club

Leederville Tennis Club is situated on Bourke Street in Leederville. Established in 1924, the Leederville Tennis Club has been an integral part of the local community for 90 years. The Club aims to provide a friendly atmosphere that supports all levels of tennis play with a diverse membership.

Leederville Tennis Club currently has 320 members and an average facility use of 430 individuals each week.

Leederville Tennis Club's current lease over the area is valid until August 2019 with x2 five (5) year options. Leederville Tennis Club pays all outgoings as well as rent at a rate of \$1,025 per annum, indexed to CPI.

The Club's financial position, as shown in Attachment 001 indicates not only their ability to fund their portion of the court repair and resurfacing project but also their long-term commitment to the continuation of the Club.

Proposed Project

The courts at Leederville Tennis Club experience a high volume of use and have deteriorated over the years. The Tennis Club proposes to repair and resurface a total of six (6) tennis courts, as follows:

- Repair and resurface two (2) existing hard courts in synthetic grass;
- Repair and resurface two (2) existing hard courts; and
- Resurface two (2) existing synthetic grass courts.

Costs

The Budget, as shown in Attachment 001 outlines the overall cost and breakdown of funding sought as follows:

Amount contributed by Leederville Tennis Club:	\$ 33,678 (excl. GST)
Amount sought from City of Vincent:	\$ 33,676 (excl. GST)
Amount sought from DSR:	<u>\$ 33,676 (excl. GST)</u>
Total:	\$101,030 (excl. GST)

This costing is based on the best of three (3) quotes sought by Leederville Tennis Club for the proposed project.

CONSULTATION/ADVERTISING:

Consultation is not required for this project.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The increase in support from Council is associated with low risk implications for the City.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2013-2023*, the following Objectives state:

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
 - 1.1.4 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*

Community Development and Wellbeing

- 3.1 *Enhance and promote Community Development and Wellbeing:*
 - 3.1.3 *Promote health and wellbeing in the community*
 - 3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community."*

SUSTAINABILITY IMPLICATIONS:

The CSRFF funding allows for the ongoing investment in the upgrading of the City's sport and recreation facilities to ensure their sustainability in providing quality recreational opportunities for residents.

FINANCIAL/BUDGET IMPLICATIONS:

Recommended funding to the amount of \$33,676 (excl. GST) is requested to be listed for consideration on the Draft Budget 2015/2016.

The Council contribution to Leederville Tennis Club will be subject to initial DSR grant approval and will match the contribution by DSR.

COMMENTS:

Supporting funding through the CSRFF process provides the opportunity to ensure the City's sporting and recreation assets continue to meet and exceed the expectations of their patrons and are able to cater for the diverse needs of the community into the future.

It is recommended for Council to support the Leederville Tennis Club's project to repair and resurface six (6) courts with the provision of \$33,676 (excl. GST), subject to equivalent funding being provided by DSR through the CSRFF Grant process. By doing so, the City will not only be preserving a facility they own but also investing in and supporting their residents' health and wellbeing.

5.4.4 Alternative Uses for On Road Car Bays – Policy Review

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC226
Attachments:	001 – Draft Amended Policy 2.2.13 ‘Parklets’		
Tabled Items:	Nil		
Reporting Officer:	Y Coyne, Coordinator Arts and Creativity		
Responsible Officers:	A Birch, Acting Manager Community Development R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **ENDORSES** the proposed amendments to Policy No. 2.2.13 ‘Alternative Uses for On Road Car Bays’ as shown in Attachment 001;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 **Advertise** the proposed amendments to Policy No. 2.2.13 ‘Alternative Uses for On Road Car Bays’ for a period of twenty-one (21) days, seeking public comment; and
 - 2.2 **Review** the amended and renamed Policy No. 2.2.13 ‘Parklets’ having regard to any written submissions; and
3. **RECEIVES** a further report on the matter at the conclusion of the public comment period.

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Amended Policy No. 2.2.13 ‘Alternative Uses for On Road Car Bays’ for consideration by Council, and to seek Council’s approval to advertise the Draft Amended Policy.

BACKGROUND:

At the Ordinary Meeting of Council held on 25 February 2014, it was resolved that Council:

- “1. *APPROVES BY AN ABSOLUTE MAJORITY to ADOPT Draft Policy No. 2.2.13 ‘Alternative Uses for On Road Parking Bays and Guidelines’ as shown in appendix 9.2.2;*
2. *Subject to clause 1 above being approved:*
 - 2.1 *ADVERTISES the Draft Policy for a period of fourteen (14) days, seeking public comment;*
 - 2.2 *After the expiry of the period of submissions, AUTHORISES the Chief Executive Officer to:*
 - 2.2.1 *review the Draft Policy No. 2.2.13 ‘Alternative Uses for On Road Parking Bays and Guidelines’”, having regard to any written submissions; and*
 - 2.2.2 *determine to proceed with, or not to proceed with, the Draft Policy No. 2.2.13 ‘Alternative Uses for On Road Parking Bays and Guidelines’; and*

3. *AUTHORISES the Chief Executive Officer to include the above Policy in the City's Policy Manual if no submissions are received from the public, or report to the Council to consider any submissions received; and*
4. *LISTS an amount of \$30,000 for consideration in the 2014/2015 Draft Budget for fabrication/installation of a number of Parklets at suitable locations within the City;*
5. *RECEIVES a further report on the matter should any public submissions be received.*
6. *APPROVES BY AN ABSOLUTE MAJORITY to adopt the following new fees and charges;*

WORKS FEES AND CHARGES:

<i>ON ROAD CAFÉ FEES</i>	<i>2013/2014</i>	<i>GST</i>
<i>Preliminary Application Fee</i>	<i>\$200.00</i>	<i>No</i>
<i>Approval Fee (one off payment)</i>	<i>\$1,000.00</i>	<i>No</i>
<i>Annual Renewal Fee</i>	<i>\$500.00</i>	<i>No</i>

7. *Include a compulsory design element to the on-road cafe, to include planter boxes or greenery of any kind; and*
8. *AMENDS Clause 11.2 in the Draft Policy No. 2.2.13 'Alternative Uses for On Road Parking Bays and Guidelines' to read as follows:*

11.2 A permit for an 'On Road' Café shall be valid for 24 months after which the applicant will need to apply for another permit (refer clause 3.3)."

Prior to the adoption of Policy No. 2.2.13 'Alternative Uses for On Road Car Bays', the City coordinated the construction of one (1) 'On Road Café' which was initially located outside 124-128 Oxford Street, Leederville from November 2012 for a period of six (6) months as a trial. This trial was extended from a six (6) month period to a twelve (12) month period whilst the Alternative Uses for On Road Car Bays Policy was finalised and adopted by Council. Upon adoption of the Alternative Uses for On Road Car Bays Policy, the structure was relocated to 109-117 Oxford Street, Leederville as a 'Parklet'.

In August 2014, Foam Coffee Bar applied and was successful for an On Road Café outside 124-128 Oxford Street Leederville. The permit is valid until 9 December 2016.

DETAILS:

There are nine (9) main recommended amendments to the current Policy No. 2.2.13 'Alternative Uses for On Road Car Bays'. The aim of these changes is to create a user friendly policy. An accompanying set of guidelines will be created that will be intuitive, informative and encourage community groups, business owners and individuals to apply for a Parklet in their respective Town Centres.

Key amendments to the current Policy No. 2.2.13 'Alternative Uses for On Road Car Bays':

1. Changing the policy title from 'Alternative Uses to On Road Car Bays' to 'Parklets'

The term 'Parklet' aligns with the other proposed changes to the Policy, and is the term used to describe these temporary structures around the world. The current policy relates only to On Road Cafes and Parklets, and no other alternative uses for on road car bays.

2. Changing the term 'On Road Café' to 'Hosted Parklet'

In place of the term 'On Road Café', it is proposed that the term 'Hosted Parklet' be used. This provides a wider scope for community groups, Town Teams and non-food service businesses to sponsor a Parklet outside their premises. The term 'On Road Café' currently implies an exclusivity to café activity. The change in name, changes the scope of who can sponsor a Parklet, making the Parklet a potential for multi-purpose uses. The alternative term for 'Hosted Parklet' is 'Sponsored Parklet' as is used in other cities around the world.

3. Changing the term 'PARKlet' (where the City of Vincent has built, constructed and installed a Parklet) to 'City Parklets'

The term 'PARKlet' in the current policy refers to a City funded Parklet, where the City has coordinated and paid for the design, build, construction and installation of a Parklet. It is instead proposed that any Parklet funded by the City be named a 'City Parklet' to differentiate from a 'Hosted Parklet'.

4. The addition of Clause 1.8 'A maximum of four (4) Parklets hosted by food or café service businesses will be permitted in each Town Centre.'

The addition of this clause limits the amount of Parklets attached to food or cafe businesses to four (4) per Town Centre so as to encourage diversity in the type of Parklet applications received.

5. The amendment of Design Criteria in 2.0

The addition of Clause 2.3, 'The character of the design should be unique and should not have an overt visual relationship with any nearby businesses' is to ensure the Host does not advertise subliminally by using company or brand colours.

Clause 2.7 has been amended. The first sentence *'In the case of a PARKlet the maximum number of existing street parking spaces that may be replaced shall not exceed two (2) following liaison with adjoining business proprietors'* has been deleted as this is repeated in clause 2.6.

In the rare case that a parking bay is or parking bays are in between property boundaries, an addition to Clause 2.7 has been added: Extension to a parking bay adjacent to an adjoining property may be permitted in some circumstances where a parking bay straddles two (2) properties. The written consent of the owner and occupier of the adjacent premises must accompany an application to request usage of the street frontage abutting the adjacent premises.

The addition of Clause 2.9: 'The majority of construction (as much as possible) should be completed off site, in advance of installation.' is to ensure the safety of pedestrians and drivers and provide as little disruption to the street and businesses surrounding as possible.

6. The addition of Technical Criteria in Clause 3.0

This information has been amended from the original guidelines. As a legal agreement refers to the Policy, it is crucial to have this important technical information in the Policy to be adhered to.

7. The addition of Administrative and Operational Matters relating to Hosted Parklets in Clause 4.0

The addition of Administrative and Operational Matters provides all the information on how to apply, and what is expected of the Host once a Parklet is in operation. The aim of this addition to the Policy is to have a clear outline of the expectations and responsibilities of hosting a Parklet.

8. The addition of Clause 5.0: 'Administrative matters relating to City Parklet installations'

The addition of Clause 5.0, 'Administrative matters relating to City Parklet installations' relates to Parklets which the City will build, construct and install. The key change is there will be community notification, not consultation, and the approval will be made under Delegated Authority rather than Council approval.

9. The addition of Assessment Procedure for Hosted Parklets in Clause 6.0

The addition of Clause 6.0, 'Assessment Procedure for Hosted Parklets' outlines the way in which the City will assess an application for a Hosted Parklet. Ideally all neighbouring businesses will be notified by the applicant before applying (as specified in the guidelines). The nearby businesses will again be notified by the City by way of a letter once the Hosted Parklet is approved under Delegated Authority.

Once the proposed amendments to Policy No. 2.2.13 "Alternative Uses for on Road Car Bays" are approved, the guidelines will be completed and distributed to Council Members for feedback.

CONSULTATION/ADVERTISING:

Proposed amendment to the Policy No. 2.2.13 "Alternative Uses for On Road Parking Bays" will be advertised as per Policy No. 4.1.5 'Community Consultation'.

LEGAL/POLICY:

Local Roads and Local and District distributors are under the care, control and management of local government. Any event on a road needs not only the approval of the local government but depending on the event may also require endorsement by the Police and/or Main Roads WA.

Laws that apply include the City's relevant local laws, the Road Traffic Act and/or the Local Government Act.

RISK MANAGEMENT IMPLICATIONS:

Low: The amendments to the Policy have been considered and deemed to be low risk.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Community Plan 2013-2023*, the following Objectives state:

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

3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity.

4.1.4 Plan effectively for the future."

FINANCIAL/BUDGET IMPLICATIONS:

In accordance with the proposed amended Policy No. 2.2.13 "Alternative Uses for On Road Parking Bays and Guidelines" Hosted Parklets will be funded, constructed and maintained by the applicant and City Parklets will be funded, constructed and maintained by the City. The fees and charges previously applicable to On Road Cafes will be transferred to Hosted Parklets and will not change.

COMMENTS:

The recommended amendments are to ensure the proposed Parklets Policy is clear and concise and provides the community with all information of what is required to host a Parklet. It is intended that the Parklets Policy will be coupled with a clear set of guidelines that explain the process of sponsoring a Parklet. The City of Vincent Parklet Guidelines will be influenced by the San Francisco Parklet Manual, which provides the information in a simple and informative way using easy to read graphics.

It is intended to create more publicly accessible open spaces that add vitality to our Town Centres, and members of the public are welcome to use and enjoy a Parklet regardless of whether or not they are patrons of the sponsoring business.

The recommended amendments aim to provide a more concise and informative document, which outlines the administrative process, technical requirements and responsibilities of sponsoring a Parklet.

5.5 CHIEF EXECUTIVE OFFICER

5.5.1 Use of the Council's Common Seal

Ward:	-	Date:	20 February 2015
Precinct:	-	File Ref:	SC406
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	K Davies, A/Personal Assistant		
Responsible Officer:	J Paton, A/Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council NOTES the use of the Council's Common Seal on the documents listed in this report, for the month of February 2015.

BACKGROUND:

The Chief Executive Officer (CEO) is responsible for the day-to-day management of the City and other responsibilities and functions in accordance with Section 5.41 of the Local Government Act. This includes the signing of documents and use of the Council's Common Seal for legal documents. The City of Vincent Local Law relating to Standing Orders Clause 5.8 prescribes the use of the Council's Common Seal. The CEO is to record in a register and report to Council the details of the use of the Common Seal.

Policy No. 4.1.10 – Use of Common Seal states that the Council authorises the Chief Executive Officer to use the Common Seal, in accordance with Clause 13.3 of the City of Vincent Local Law relating to Standing Orders, subject to a report being submitted to Council each month (or bi-monthly if necessary) detailing the documents which have been affixed with the Common Seal.

The Common Seal of the City of Vincent has been affixed to the following documents:

Date	Document	No of copies	Details
05/02/2015	Funding Agreement	2	City of Vincent and the Commonwealth of Australia as represented by the Department of Industry and Science, C/o GPO Box 9839 Canberra ACT 2601 relating to Termination of Community Energy Efficiency Program (CEEP) Funding Agreement – <i>As per Council Approval of Ordinary Meeting of Council held on 20 January 2015</i>
06/02/2015	Section 70A Notification	1	City of Vincent and 359 Oxford Pty Ltd of 343 Oxford Street, Leederville re: No. 359 (Lot 638) Oxford Street, Mount Hawthorn – <i>To satisfy Clause 9.11 of conditional Planning Approval dated 14 January 2014</i>
06/02/2015	Scheme Amendment Documents	3	City of Vincent Town Planning Scheme No. 1 – Scheme Amendment No. 36 – <i>As per Council Approval of Ordinary meeting of Council held on 8 April 2014</i>
12/02/2015	Lease	3	City of Vincent and State of Western Australia, Acting through its Department of Local Government and Communities re: To use a portion of 244A Vincent Street, Leederville (Leederville Child Care) – <i>as per Council Approval of Ordinary Meeting of Council held on 17 December 2013</i>
12/02/2015	Section 70A Notification	1	City of Vincent and Small Bear Investments of 15 Forestville Court, Kallaroo WA 6025 re: No. 216 (Lot 16) Loftus Street, North Perth – <i>to satisfy condition 7.6 of Council approval at the Ordinary Meeting of Council held on 7 October 2014</i>

Date	Document	No of copies	Details
12/02/2015	Section 70A Notification	3	City of Vincent and FDS Enterprises Pty Ltd of Office D, 1139 Hay Street, West Perth re: No. 544 (Lot 1) Beaufort Street, Mount Lawley – <i>to satisfy conditions 10.1 & 11.2 of Council approval at the Ordinary Meeting of Council held on 28 May 2013</i>
12/02/2015	Withdrawal of Caveat	1	City of Vincent and HWL Ebsworth Lawyers of Level 11, 167 St Georges Terrace Perth WA 6000 re: No. 20 & 26 (100 D/P:2554) Brentham Street, Leederville - <i>to satisfy conditions of Council approval at the Ordinary Meeting of Council held on 8 February 2005</i>
12/02/2015	Withdrawal of Caveat	1	City of Vincent and Silverleaf Investments Pty Ltd of RMB 820, Jennacubbine WA & Commonwealth Bank of Australia of Level 14C, 300 Murray Street Perth WA re: 71-77 (Lot 62, D/P: 73028) Walcott Street, Mount Lawley - <i>to satisfy conditions of Council approval at the Ordinary Meeting of Council held on 11 August 1998</i>
12/02/2015	Deed of Consent to Mortgage	3	City of Vincent and Silverleaf Investments Pty Ltd of RMB 820, Jennacubbine WA & Commonwealth Bank of Australia of Level 14C, 300 Murray Street Perth WA re: 71 Walcott Street, Mount Lawley - <i>to satisfy conditions of Council approval at the Ordinary Meeting of Council held on 11 August 1998</i>
13/02/2015	Section 70A Notification	7	City of Vincent and Beersheba Investments Pty Ltd & ACS Corporate Services Pty Ltd both of 151 Walcott Street, Mount Lawley re: Nos. 1 & 1A (Lot 702, D/P: 71923) Albert Street, North Perth - <i>to satisfy the City's requirement to notify future purchasers of the units that some car parking bays in the development are undersized as they do not comply with AS 2890 standards</i>
16/02/2015	Lease Contract	2	City of Vincent and Leederville Gardens Inc. and Judith Evans of Churchlands WA re: New Lease Contract - <i>to satisfy the City's requirement in the preparation of a new lease for a unit at the Leederville Gardens Retirement Village.</i>
25/02/2015	Deed	1	City of Vincent and West Australian Planning Commission and Russell Scott Howell and Holly Tobin Gale – <i>Proposed deed regarding lot sold to the western planning commission to be used by the owners of the adjoining lot.</i>

5.5.2 Motions from the Annual General Meeting of Electors held on 27 January 2015

Ward:	Both	Date:	20 February 2015
Precinct:	All	File Ref:	SC2048
Attachments:	001 – Minutes of Annual General Meeting		
Tabled Items:	-		
Reporting Officer:	Jerilee Highfield, Executive Assistant		
Responsible Officer:	John Paton, A/Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council after considering the Motion of the Annual General Meeting held on Tuesday 27 January 2015: -

1. **NOTES** that in response to a previous Notice of Motion will be receiving a report from Planning Services providing a position statement on expected heights of development on the City's major roads, including Newcastle Street;
2. **NOTES** that details will be provided in the 2014/15 Annual Report on the Local Government Reform process as it impacted on the City, including details of the results from the 2013 plebiscite;
3. **NOTES** that the Tamala Park Land Sales Reserve will be reviewed during the 2015/16 Budget Development Process, along with a strategic review of all cashbacked Reserves;
4. **NOTES** that the CEO is responsible for establishing systems to ensure the City delivers high standards of service, including the quality and accuracy of Council reports;
5. **NOTES** the CEO will be implementing a review of the organisation structure;
6. **NOTES** an item will be listed for consideration in the Draft 2015/16 annual Budget for the funding of a Pigeon Control Program;
7. **NOTES** that decisions on recommencing community consultation should be based on a case by case basis; and
8. **NOTES** that Planning Services will be providing a report outlining a review of the City's Planning Policy Framework with the key objective of protecting residential amenity from the impacts on adjoining higher density developments.

PURPOSE OF REPORT:

The purpose of the report is for the Council to consider motions received at the Annual General Meeting of Electors (AGM), held on 27 January 2015 and consider any decisions.

BACKGROUND:

The Annual General Meeting of Electors of the City of Vincent was held on Tuesday 27 January 2015. The *Local Government Act 1995* requires that any decisions made at an Elector's Meeting are to be considered at the next Ordinary Council Meeting or, if that is not practicable, at the best Council Meeting after that Meeting.

DETAILS:

Two Motions were received in writing at the Meeting, with the other six motions moved from the floor.

All Motions are detailed below, along with the relevant Administration Comment.

4.1 Ms M Slyth- Carr Street, West Perth

That Council clarify its Planning Policy under the new TPS2 with regards to the permissible height of buildings on Newcastle Street, especially the Northern side.

Response by Director Planning Services:

The Planning Department is responding to a Notice of Motion supported by Council at its meeting on 10 February 2015 to provide a position statement on expected heights on the City's major roads, including Newcastle Street. A report has been prepared and will be presented to Council on 10 March 2015.

4.2 Mr I Ker –Vincent Street, Mt Lawley

That Council produce an addendum to the Annual Report 2013/2014 to include details of the City of Vincent activities related to Local Government Reform and the results of the plebiscite held in conjunction with the October 2013 Council Elections.

Response by Chief Executive Officer:

The results of the plebiscite were reported to Council at its meeting held on 29 October 2013 and included in the Minutes.

The Annual report 2013/14 was approved by Council in accordance with S5.54 of the Local Government Act, however given the significance of the Reform process on the City and its Community, it is reasonable that the next Annual Report 2014/15 will include a section dealing with Local Government Reform and could reference the strong community support demonstrated through the 2013 plebiscite.

4.3 Mr C Scott – 17 Deague Court, North Perth

That Council bring forth a review on the funding for Tamala Park and how the funds are allocated in the future.

Response by Chief Executive Officer:

The annual Budget process which includes the review of the 10 year long Term Financial Plan is the appropriate forum for consideration of funding requirements and strategies. This ensures that decisions are being made based on the best information available and taking into account long term sustainability factors. Council has established a Tamala Park Land Sales Reserve with the stated purpose of: "For future significant/major capital works, infrastructure, project or debt reduction programme for the benefit of the City." The purpose and capacity of all reserves will be considered during the budget development process.

4.4 Mr D Maier – 51 Chatsworth Road, Highgate

That Council give consideration to amending the heading block of reports in the council agenda to include a "Checked By" entry in addition to the "Reporting Officer" and "Responsible Officer".

Response by Chief Executive Officer:

Reporting Officers and Responsible Officers are accountable for the quality and accuracy of reports. A "checked by" entry is not considered necessary if the organisation is being held to an appropriate system of authority and accountability. I am committed to ensuring the City delivers high standards of services.

4.5 Mr D Maier – 51 Chatsworth Road, Highgate

That the community expresses its concern with the project management, project deliverables and quality of consultation by the City's Technical Services Directorate and requests that the CEO/Council considers replacing the Technical Services Directorate with a Community Assets Directorate (or something similar) in any future restructure, and that the structure of this directorate recognise that the quality of outcomes in the public domain is often governed by 'soft' elements such as landscaping, aesthetics and usability, rather than pure 'hard' engineering solutions.

Response by Chief Executive Officer:

In view of the recent announcements on Local Government Reform and as our Council has resolved to remain as a stand along Council, our resources and energies can now focus on internal reform. This will include amongst other things a review of the organisation structure.

4.6 Ms D Saunders – 150 Oxford Street, Leederville

Moved Ms Saunders, Seconded Mr Lofthouse

That Council consider developing a program and listing an item in the 2015/2016 Budget for the culling of pigeons in Leederville.

Response by Director Community Services:

Funding of a pigeon control program will be considered by Council during its 2015/2016 Budget deliberations, with \$25,000 being listed. A variety of physical control methods have been investigated, with pest control firms recommending a combination of culling and proofing (netting, shock tracking, spiking) of buildings.

Where existing problems do arise or complaints are received, local governments throughout the metropolitan area, including the City of Vincent, use the provisions in their Health Local Laws to require landowners to carry out measures to prevent the nesting or perching of pigeons. These laws also provide standards for the keeping of pigeons so as not to create a nuisance.

4.7 Ms D Saunders – 150 Oxford Street, Leederville

That Council consider the inclusion of a Clause within the Community Consultation Policy that would require consultation to happen again if there is an error in the first consultation phase.

Response by Chief Executive Officer:

A decision to recommence a Community Consultation process would be taken on a case by case basis depending on the circumstances, and taking into account the objectives of the Community Consultation Policy No. 4.1.5.

4.8 Mr A Parolo – 76 Cleaver Street, West Perth

That Council support the Cleaver Precinct in maintaining the strict TPS guidelines to protect the amenity of the area.

Response by Director Planning Services:

The planning department has undertaken a review of its planning policy framework with the key objective to protect residential amenity from the impacts of adjoining higher density developments. The policy is proposing to require greater setbacks from rear property boundaries and staggering of building. The report will be presented to Council on 10 March 2015 for consent to advertise.

CONSULTATION/ADVERTISING:

Notice of the Annual General Meeting of Electors was advertised in the local newspapers, notices were displayed on notice boards and also displayed on the City's website.

LEGAL/POLICY:

The Local Government Act 1995 states:

- “5.33 (1) *All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
(a) *at the first ordinary meeting after that meeting; or*
(b) *at a special meeting called for that purpose,*
whichever happens first.
- (2) *If at a meeting of the council a Local Government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.”*

RISK MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the Council receive the report concerning the Annual General Meeting, as required by the Local Government Act 1995.

5.5.3 Delegations for the Period 1 October 2014 – 31 December 2014

TO BE ISSUED PRIOR TO THE MEETING.

5.5.4 Strategic Plan 2013-2023 – Progress Report for the Period 1 October 2014 – 31 December 2014

Ward:	-	Date:	20 February 2015
Precinct:	-	File Ref:	-
Attachments:	001 – Strategic Plan Quarterly Progress Report		
Tabled Items:	-		
Reporting Officer:	Jerilee Highfield, Executive Assistant		
Responsible Officer:	John Paton, A/Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council **RECEIVES** the progress report on the Strategic Community Plan 2013 2023 (SCP) for the period 1 October 2014 – 31 December 2014, included as Attachment 001.

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly report to the Council to keep it informed of progress of strategies in the Corporate Business Plan 2013-2017 (CBP) for the period 1 October 2014 – 31 December 2014, which align to objectives in the SCP.

BACKGROUND:

At the Ordinary meeting of Council dated 10 September 2013, Council considered a report dealing with the Statutory Review of the City of Vincent Strategic Community Plan 2011-2021 and Corporate Business Plan 2011 -2016 and resolved as follows:

“That the Council;

1. *NOTES that in accordance with the Local Government (Administration) Regulations 1996 a Statutory review is required to be carried out of its Strategic Community Plan,;*
2. *APPROVES BY AN ABSOLUTE MAJORITY to adopt the amended City of Vincent Strategic Community Plan 2013 – 2023 and Corporate Business Plan 2013 – 2017, as shown in Appendix 9.5.2;*
3. *ACKNOWLEDGES that the implementation of the City’s Plan for the Future maybe significantly impacted by the State Government’s proposal for amalgamations of Metropolitan Local Governments and the splitting of the City of Vincent; and*
4. *REQUESTS the Chief Executive Officer to write to the Department of Local Government and Communities seeking clarification as to the need to conduct the statutory comprehensive four (4) yearly review of the Plan for the Future, as required by the Local Government (Administration) Regulations 1996, due to the State Government’s proposal for amalgamations.”*

DETAILS:

Progress reports are traditionally reported to Council for each quarter as follows:

Period	Report to Council
1 October 2014 - 31 December 2014	March
1 January 2015 - 31 March 2015	May
1 April 2015 – 30 June 2015	August
1 July 2015 – 30 September 2015	October

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Section 5.56 of the Local Government Act 1995 requires a Local Government to plan for the future of the District. Division 3 of the Local Government (administration) Regulations 1996 deals with "Planning for the future", the Regulations prescribe that a Local Government is to:

- Prepare and adopt a Strategic Community Plan which is to cover at least 10 years; 'and
- Make a corporate business Plan of at least 4 financial years, which sets out the Local Government Priorities for dealing with the objectives of the Community outlined in the SCP.

RISK MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

The SCP provides the Council and administration with its aims, goals and objectives (key result areas) for the period 2013-2023. The CBP provides the operational priorities to activate the SCP during the four year period 2013-2017. The reporting on a quarterly basis is in accordance with the Strategic Plan 2013-2023 Key Result Area.

This is in keeping with the City's Strategic Community Plan 2013-2023- "*Leadership, Governance and Management*", in particular, Objective 4.1.2 - "*Manage the Organisation in a responsible, efficient and accountable manner*".

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The progress report for the SCP indicates that the City's administration is progressing with the various strategies in accordance with the Council's adopted programs and adopted budget.

5.5.5 Local Government Statutory Compliance Audit Return 2014

Ward:	-	Date:	24 February 2015
Precinct:	-	File Ref:	SC400
Attachments:	001 - Compliance Audit Report 2014		
Tabled Items:	-		
Reporting Officer:	J Anthony, A/Director Corporate Services		
Responsible Officer:	J Paton, A/Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council **ADOPTS** the Local Government Statutory Compliance Audit Return for 2014, as shown in Attachment 001 and this is forwarded to the Department of Local Government.

PURPOSE OF REPORT:

The purpose of this report is for Council to consider and approve the City's Statutory Compliance Audit Return 2014 (CAR).

BACKGROUND:

The Department of Local Government and Communities (the Department) has issued a "Local Government Statutory Compliance Audit" to all Local Governments throughout Western Australia. The Department's circular No 35-2014, published on 23 December 2014 advised of the availability of the CAR on the Department's website for completion on-line. The Department has advised that the CAR is again published in a reduced format, with areas of compliance restricted to those considered high risk.

Relevant sections of the CAR were discussed with various officers holding associated responsibilities, to enable completion of all sections of the CAR. The Audit Committee is required to review the completed CAR and report the results to the Council, prior to the CAR's adoption by Council and submission to the Department by 31 March 2015.

DETAILS:

The completed CAR was presented to a meeting of the City's Audit Committee on Tuesday 24 February 2015, with the following resolution adopted:

"That the Audit Committee:

- 1. ADVISES Council that it has undertaken a review of the Compliance Audit Return 2014;*
- 2. NOTES no areas of non-compliance listed in the Compliance Audit Return and Reports the results to Council; and*
- 3. RECOMMENDS to Council the adoption of the Compliance Audit Return for 2014, as shown in Attachment 001."*

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The completion of the Statutory Compliance Audit Return is compulsory, in accordance with Regulation 14 of the Local Government (Audit) Regulations, as detailed below:

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –*
 - (a) *presented to the council at a meeting of the council;*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

After the compliance audit return has been adopted by council, a certified copy of the return together with a copy of the relevant section of the minutes is to be submitted to the Executive Director by 31 March 2015.

RISK MANAGEMENT IMPLICATIONS:

Low: Regulation 14 of the Local Government (Audit) Regulations requires each Council to Adopt the Compliance Audit Return. Failure to do so would be a breach of the regulations.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2013-2023 - Key Result Area Four: "Leadership, Governance and Management" and, in particular:

4.1.2 *"Manage the organisation in a responsible, efficient and accountable manner".*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

COMMENTS:

The City of Vincent has complied with all statutory compliance provisions listed in the CAR. It is therefore recommended that Council adopt the Local Government Statutory Compliance Audit Return for 2014.

**5.5.6 Audit Committee – Receiving of Unconfirmed Minutes –
24 February 2015**

Ward:		Date:	25 February 2015
Precinct:		File Ref:	SC243
Attachments:	001 – Audit Committee Unconfirmed Minutes		
Tabled Items:	Nil		
Reporting Officer:	J Paton, A/Chief Executive Officer		
Responsible Officer:	J Paton, A/Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

- 1. RECEIVES the Minutes of the Audit Committee Meeting held on 24 February 2015, as shown in Attachment 001; and**
- 2. APPOINTS BY AN ABSOLUTE MAJORITY Mr Anthony Macri of Macri Partners as the City of Vincent auditor for the one year period, 2014/15 financial year, pursuant to section 7.3 of Division 2 of Part 7 of the Local Government Act 1995.**

PURPOSE OF REPORT:

The purpose of this report is for the Council to receive the unconfirmed minutes of the Audit Committee held on 24 February 2015.

BACKGROUND:

At the Ordinary Meeting of Council held on 26 August 2003, the Council considered the matter of its Audit Committee and resolved inter alia as follows;

"That the Council;

- (i) APPROVES of amending the Audit Committee Terms of Reference to be as follows;*
 - (a) the process of selecting the Auditor;*
 - (b) recommending to Council on the Auditor;*
 - (c) managing the Audit Process;*
 - (d) monitoring Administrations actions on, and responses to, any significant matters raised by the Auditor;*
 - (e) submitting an Annual Report on the audit function to the Council and the Department of Local Government; and*
 - (f) consideration of the completed Statutory Compliance Return and monitoring administrations corrective action on matters on non-compliance;*
 - (g) to oversee Risk Management and Accountability considerations; and*
 - (h) to oversee Internal Audit/Accountability functions;"*

DETAILS:

A copy of the Minutes of the 24 February Audit Committee Meeting is included as Attachment 001.

Item 4.3 considered by the Audit Committee dealt with the extension of the internal and external auditor contracts and appointment of the City's auditor. As a result the following resolution was adopted:

"That the Audit Committee:

1. *ENDORSES the proposal to exercise the one year option period to Macri Partners for the provision of External Audit Services to the City for the 2014/15 financial year;*
2. *ENDORSES the proposal to exercise the one year option period to UHY Haines Norton for the provision of Internal Audit Services to the City for the 2014/15 financial year;*
3. *NOTES the Chief Executive Officer will approve the contract extensions in 1 and 2 above under Delegation of Authority 2.1; and*
4. *RECOMMENDS to Council the appointment of Mr Anthony Macri of Macri Partners as the City of Vincent auditor for the one year period 2014/15 financial year, pursuant to section 7.3 of Division 2 of Part 7 of the Local Government Act 1995."*

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Local Government Act (Financial Management) Regulations 1996, Regulations 5 and 6 prescribe the duties of the CEO in respect to financial management and independent performance reviews (including internal and external Audits).

RISK MANAGEMENT IMPLICATIONS:

High: The Council is required under Section 7.3 of the Local Government Act 1995 to appoint a City auditor.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 lists the following objectives:

"4.1.2 Manage the organisation in a responsible, efficient and accountable manner".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

Under the Audit Committee Terms of Reference, a key function of the committee is to:

- (a) *The process of selecting the auditor; and*
- (b) *Recommending to Council on the auditor.*

In this instance, whilst the one (1) year extension of the contract for the internal and external auditors could be executed by the Chief Executive Officer, the appointment of the City auditor requires Council approval.

5.5.7 Information Bulletin

Ward:	-	Date:	20 February 2015
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	John Paton, A/Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 20 February 2015, as distributed with the Agenda.

DETAILS:

The items included in the Information Bulletin dated 20 February 2015 are as follows:

ITEM	DESCRIPTION
IB01	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 21 January 2015
IB02	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 28 January 2015
IB03	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 4 February 2015
IB04	State Administrative Tribunal Orders dated 9 February 2015 – Matter No. DR 429 of 2014, New Frontier Pty Ltd v City of Vincent (No. 25 Green Street, Mount Hawthorn)
IB05	Local History Collection – Progress Report No. 27 – July to December 2014
IB06	Ranger Services Statistics for October, November and December 2014
IB07	Register of Petitions – Progress Report – March 2015
IB08	Register of Notices of Motion – Progress Report – March 2015
IB09	Register of Reports to be Actioned – Progress Report – March 2015
IB10	Register of Legal Action (Confidential – Council Members Only) - Monthly Report as at 20 February 2015
IB12	Register of State Administrative Tribunal (SAT) Appeals – Progress Report – as at 20 February 2015
IB13	Register of Applications Referred to the Design Advisory Committee – 2015
IB14	Register of Applications Referred to the MetroWest Development Assessment Panel – Current
IB15	Forum Notes – 27 January 2015

6. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

6.1 NOTICE OF MOTION: Mayor John Carey – Amendment to Policy No. 7.5.1 relating to Minor Nature Development

That Council AMENDS Policy No. 7.5.1 relating to Minor Nature Development to amend Clause 1.2 as following:

“1.2 of a temporary nature occurring on one-off occasions (although may occur on a number of days) but not of any permanent nature or re-occurrence, ~~but excluding activities involving the use of amplified music such as rave parties or rock concerts;~~”

Administration Comment:

The Administration is in favour of making changes to the Minor Nature Development Policy to provide appropriate measures to enable events to be exempted from the need for planning approval, but is not in favour of making changes in isolation

The Administration is currently undertaking a comprehensive review of this Policy. It is expected that the proposed amendments from the comprehensive review will be presented to the Council Forum be held in April 2015.

6.2 NOTICE OF MOTION: Mayor John Carey – Request to Further Reduce the Posted Speed Limit along Oxford Street (North of Vincent Street), Leederville and along Bulwer Street (Vincent to Palmerston Streets), North Perth

That Council **AUTHORISES** the **MAYOR** to write to Main Roads WA requesting that they consider further reducing the posted speed limit along Oxford Street, north of Vincent Street, from 50 kph to 40 kph, now that the Oxford Street “On Road Bike Lanes” Project is nearing completion, and along Bulwer Street, between Vincent and Palmerston Street, to 40kph.

Administration Comment:

Bulwer Street

At its Ordinary Meeting held on 16 December 2014 (Item 9.2.4), Council considered a report on a number of traffic related matters, as discussed by the Integrated Transport Advisory Group, where the following decision was made (in part):

“writes to Main Roads WA once the Bulwer Street, (Vincent to Palmerston Streets) Bike Lanes have been completed and an additional traffic assessment has been undertaken and requests Main Roads WA to consider reducing the posted speed in this section of Bulwer Street from 60 kph to 50 kph or less”;

As the above works have not yet been fully completed the officers have yet to undertake an additional traffic assessment.

Oxford Street:

The establishment of the Cycle lanes along Oxford Street will change the speed environment of the street. This will be achieved by reducing the carriageway width with the inclusion of on road bike lanes and extensive tree plantings along the existing median strip and along verges.

This Notice of Motion is supported by Administration as the proposal will improve safety and amenity for all road users however Main Roads WA will require a traffic assessment to be undertaken at the conclusion of the works prior to determining the matter.

7. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

7.1 Department of Planning Nomination – Local Government Development Assessment Panels Member

Ward:	-	Date:	20 February 2015
Precinct:	-	File Ref:	SC1016
Attachments:	001 – Regulations that Apply to Appointment a Member to DAP		
Tabled Items:	Nil		
Reporting Officer:	G Poezyn, Director Planning Services		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, APPROVES BY AN ABSOLUTE MAJORITY the nomination of Councillor as the Local Government Development Assessment Panels (DAP) Second Alternative Member until 26 April 2015.

PURPOSE OF REPORT:

For Council to appoint a Second Alternative Member to the Development Assessment Panels due to the resignation on 11 February 2015 of its appointed Second Alternative Member, Cr Roslyn Harley.

BACKGROUND:

Cr Roslyn Harley has resigned from the DAP with effect from 11 February 2015. Mayor John Carey and Councillor Joshua Topelberg are the Council nominated Members with Councillor Matt Buckels as the Council's First Alternative Member.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Legislation: Planning and Development Act 2005; and
Planning and Development (Development Assessment Panels) Regulations 2011.

On 24 March 2011, Part 11A of the *Planning and Development Act 2005* commenced operation. This part contains the heads of power required to introduce DAPs in Western Australia.

The *Planning and Development (Development Assessment Panels) Regulations 2011* also became effective on this date, which set out provisions including the operation of DAPs and membership of DAPs.

Details of the relevant Sections of the Regulations are attached as Attachment 001.

RISK MANAGEMENT IMPLICATIONS:

Low: If no nominations are made, the Director General can appoint a person who is an eligible voter of the City and has relevant knowledge and experience to represent the local community. Similar to applications determined by Council, the proponent will hold a right of review against the DAPs decision, or any conditions included therein, in accordance with the *State Administrative Tribunal Act 2004* and the *Planning and Development Act 2005*. The DAP, as the decision maker, will defend the decision at the State Administrative Tribunal (SAT).

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The DAP process does not require the City to make additional budget provisions. However, as the City collects the application fee from the applicant for the DAP determination which it forwards to the DAP Secretariat, the City incurs administration costs, as well as costs such as secretarial support and other minor costs when the DAP Meetings are held at the City.

DAP Members, including Local Government Members are paid a fixed amount by the DAP Secretariat for each meeting of the DAP that they attend.

COMMENTS:

It is important that the Council have full representation on the DAP.

8. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)

Nil.

9. CLOSURE
