



CITY OF VINCENT

ORDINARY COUNCIL MEETING

16 DECEMBER 2014

Notice of Meeting and Agenda

Notice is hereby given that an Ordinary Meeting of the Council of the City of Vincent will be held at the Administration and Civic Centre, at 244 Vincent Street (corner Loftus Street), Leederville, on **Tuesday 16 December 2014** at 6.00pm.

Len Kosova
CHIEF EXECUTIVE OFFICER

10 December 2014

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

This document is available in other formats and languages.

“Enhancing and celebrating our diverse community”

PURPOSE - The purpose defines the *business we are in*. It describes our reason for being, and the services and products we provide. Our purpose is:

“To provide and facilitate services for a safe, healthy and sustainable community.”

VISION – The vision statement is *what we are striving to become*, what we will look like in the future. Based on accomplishing key strategic challenges and the outcomes of Vincent Vision 2024, the City’s vision is:

“A sustainable and caring community built with vibrancy and diversity.”

GUIDING VALUES (*Describes what values are important to us*)

- **Excellence and Service**
We aim to pursue and deliver the highest possible standard of service and professionalism to the Vincent community.
- **Honesty and Integrity**
We are honest, fair, consistent, accountable, open and transparent in our dealings with each other and are committed to building trust and mutual respect.
- **Innovation and Diversity**
We encourage creativity, innovation and initiative to realise the vibrancy and diversity of our vision.
- **Caring and Empathy**
We are committed to the wellbeing and needs of our employees and community and value each others views and contributions.
- **Teamwork and Commitment**
Effective teamwork is vital to our organisation and we encourage co-operation, teamwork and commitment within and between our employees and our business partners and community.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the City of Vincent (City) for any act, omission, statement or intimation occurring during Council meetings. The City disclaims any liability for any loss however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during Council meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council meeting does so at their own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning or development application or application for a licence, any statement or intimation of approval made by an Elected Member or Employee of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. The City advises that anyone who has any application lodged with the City must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Council in respect of the application.

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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 an Ordinary Council meeting can relate to 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, he may ask the person speaking to promptly cease.
7. Questions/statements and any responses will be summarised and included in the Minutes of the Council meeting.
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 to the person asking the question. A 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 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. **(a) Public Question Time and Receiving of Public Statements**
(b) Response to Previous Public Questions Taken On Notice
Nil.
 4. **Applications for Leave of Absence**
Nil.
 5. **The Receiving of Petitions, Deputations and Presentations**
Nil.
 6. **Confirmation of Minutes**
6.1 Ordinary Meeting of Council held on 16 December 2014.
 7. **Announcements by the Presiding Member (Without Discussion)**
Nil.
 8. **Declarations of Interest**
Nil.
 9. **Reports**
As listed in the Index.
 10. **Motions of which Previous Notice has been given**
Nil.
 11. **Questions by Members of which Due Notice has been given (Without Discussion)**
Nil.
 12. **Representation on Committees and Public Bodies**
Nil.
 13. **Urgent Business**
Nil.
 14. **Confidential Items/Matters for which the Meeting May be Closed (“Behind Closed Doors”)**
Nil.
 15. **Closure**
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9.1 PLANNING SERVICES

9.1.1 No. 2 (Lot: 81 D/P: 2848) The Boulevard, Mount Hawthorn – Proposed Demolition of an Existing Single House and Construction of Four (4) Multiple Dwellings and associated Car Parking

Ward:	North	Date:	5 December 2014
Precinct:	Mount Hawthorn; P1	File Ref:	5.2014.597.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Car Parking and Bicycle Tables 004 – Design Advisory Committee Comments dated 5 November 2014 005 – Applicant’s Report		
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 the application submitted by Kevin Di Prinzio on behalf of the owner, Tanya Di Prinzio, for the Proposed Demolition of an Existing Single House and Construction of a Two Storey Development Comprising of Four (4) Two-bedroom Multiple Dwellings and Associated Car Parking at No. 2 (Lot: 81 D/P9.: 2848) The Boulevard, Mount Hawthorn as shown on amended plans dated 17 November 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 demolition works on the site;
2. **Car Parking and Accessways**
 - 2.1 A minimum of four (4) residential car bays and one (1) visitor bay, are to be provided on site for the development;
 - 2.2 The car park shall be used only by residents and visitors directly associated with the development;
 - 2.3 The visitor bay is to be marked accordingly;
 - 2.4 The car parking and access areas are to comply with the requirements of AS2890.1;
 - 2.5 Vehicle and pedestrian access points are required to match into existing footpath levels; and
 - 2.6 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;
3. **Building Appearance**

All external fixtures shall not be visually obtrusive from The Boulevard, Britannia Road 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. **Existing Verge Trees**

No existing verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

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

5.1 **Section 70A Notification under the Transfer of Land Act**

The owner shall agree in writing to:

5.1.1 A notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property; and

5.1.2 A notice being placed on the Sales Contract to alert prospective purchasers of the following:

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

5.2 **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. The recommended measures of the report shall be implemented;

5.3 **Site Works**

Detailed plans of site works, including identification of pavement type, drainage, parking layout and proposed finished levels, shall be included in the building licence application working drawings;

5.4 **Car Parking Bays**

All car parking bays shall be dimensioned on the Building Permit application working drawings and all car parking facilities shall meet or exceed the minimum specifications of AS2890;

5.5 **Landscape and Reticulation Plan**

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

5.5.1 A minimum of ten (10) percent of the total site area (common) is to be provided as landscaping;

5.5.2 A minimum of five (5) percent of the total site area (private courtyards) shall be provided as soft landscaping within the development;

5.5.3 The location and type of existing and proposed trees and plants;

5.5.4 All vegetation including lawns;

5.5.5 Areas to be irrigated or reticulated;

5.5.6 The details of plant species and materials to be used; and

5.5.7 The redundant crossover being landscaped in accordance with the landscaping proposed for the remainder of the verge;

5.6 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;

5.7 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;

5.8 Waste Management

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

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

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

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

6.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes of WA 2013;

6.2 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;

6.3 Stormwater

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

6.4 Acoustic Report Certification

In relation to condition 5.2, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City;

6.5 Section 70A Notification under the Transfer of Land Act lodgement and registration

In relation to condition 5.1, the notification shall be lodged and registered in accordance with the Transfer of Land Act;

6.6 Landscape Plan and Verge Upgrade Plan

In relation to condition 5.5, 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

6.7 Bicycle Bays

A minimum of one (1) visitor bay is to 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.

ADVICE NOTES:

1. With regard to condition 2.5, 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 2.6 all new crossovers to the development site are subject to a separate application to be approved by the City;
 3. A Road and Verge security bond for the sum of \$3000 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
 4. With regard to condition 5.5, 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. If a request to erect scaffolding, site fencing etc. or if building materials is required to be stored within the road reserve once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
 6. With reference to condition 6.3, 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; and
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7. **The Right of Way shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The Right of Way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the Right of Way condition has deteriorated, or become impassable as a consequence of the works the applicant/developer shall make good the surface to the satisfaction of the City.**

PURPOSE OF REPORT:

The proposal is referred to Council for determination as it is for four (4) multiple dwellings.

BACKGROUND:

Nil.

DETAILS:

Landowner:	Tanya Di Prinzio
Applicant:	Kevin Di Prinzio
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R30
Existing Land Use:	Single Dwelling
Use Class:	Multiple Dwellings
Use Classification:	"P"
Lot Area:	570 square metres
Right-of-Way:	5 metres wide, eastern side

The proposal is for the demolition of an existing single house and the construction of a two storey development comprising of four (4) two-bedroom multiple dwellings and associated car parking.

The 'town-house' style of dwelling proposed includes generous living areas on the ground floors and bedrooms on the upper floors. Although the dwellings may appear as two storey 'town-houses' or grouped dwellings, they are technically classed as multiple dwellings because a small portion of the upper floor bathroom of Units 1, 2 and 3 are located immediately above a portion of the ground floor kitchen of Units 2, 3 and 4 respectively.

The subject site is located in the Mount Hawthorn Precinct – Scheme Map 1. Draft TPS2 proposes the same zoning.

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
Building Size/Plot Ratio		✓
Streetscape	✓	
Front Fence	✓	
Street Setbacks		✓
Building Setbacks		✓
Boundary Wall	N/A	
Building Height	✓	
Roof Forms		✓
Open Space	✓	
Bicycles	✓	
Access & Parking	✓	
Privacy	✓	
Solar Access	✓	

Design Element	Complies	Requires the Exercise of Discretion
Site Works	✓	
Essential Facilities	✓	
Surveillance	✓	
Landscaping	✓	
Dwelling Size	N/A	

Acceptable Variations

Planning Element:	Building Size
Requirement:	Residential Design Codes Clause 6.1.1 Required Plot Ratio: 0.5 or 285 square metres
Applicant's Proposal:	Proposed Plot Ratio: 0.57 or 328 square metres, creating a plot ratio variation of 0.07 or 43 square metres.
Design Principles	Residential Design Codes Clause 6.1.1 P1 Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.
Applicant's Justification	<i>"Variation resulting following the DAC recommendation made on 1st Oct 2014 (re - minutes)</i> <i>"Consider increasing the plot ratio to improve the amenity of residents"</i> <i>The amended proposal was supported by DAC 5 November 2014 where it was encouraged to increase the plot ratio further.</i> <i>Council's discretion is requested to support the proposed variation."</i>
Comments	The variation is considered minor in relation to the required plot ratio. The original plans complied with the plot ratio requirements. The DAC suggested to the applicant to increase the size of the living rooms and bedrooms to improve the liveability for occupants. The amended plans dated 17 November 2014 reflect these suggestions. The proposal presents as a compact two storey development that sits centrally within the lot, producing generous setbacks to all boundaries. The setbacks reduce the effect of bulk and scale on neighbouring properties and the streetscape and create large open areas that can be used for the planting of mature trees and landscaping that will act to further reduce the perception of bulk and scale. The 'town-house' style is more compatible with the predominant style of single and grouped dwelling developments existing in the area than 'unit' style development that often include upper storey balconies as the primary area for outdoor living as well as communal stairwells and corridors for access. While the proposed plot ratio marginally exceeds the requirement, the style of development proposed is consistent and compatible with the existing built form in the area.

Planning Element:	Street Setbacks
Requirement:	<p>Residential Design Elements Policy No. 7.2.1</p> <p>Buildings are to be setback from the street alignment such distance as is generally consistent with the building setback on adjoining land and in the immediate locality.</p> <p>This equates to:</p> <ul style="list-style-type: none"> • 6.8 metres for the ground floor; • 8.8 metres for the upper floors; and • 7.8 metres or the upper floor balconies.
Applicant's Proposal:	<ul style="list-style-type: none"> • 5.9 metres for the ground floor, creating a variation of 0.9 metres. • 7.0 metres for the upper floors, creating a variation of 1.8 metres; and • 7.0 metres for the upper floor balconies, creating a variation of 0.8 metres.
Design Principles	<p>Residential Design Elements Policy No. 7.2.1</p> <p>SPC 5</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 Acceptable Development 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's Justification	<p><i>"As identified the front setbacks have been proposed slightly within the calculated setback requirement. It should be noted that the proposed setbacks are in keeping with the prescribed setbacks in the Residential Planning Codes and don't present any negative impact upon the streetscape or the amenity of the neighbouring site. As the subject site is a corner block the impact upon the streetscape by the proposed variation is considered to be nil.</i></p> <p><i>The 5.9 metres setback for the ground floor, creating a variation of 0.9 metres only comprises 28% of the elevation with the majority of the setback ranging from 7.05 metres through to 9.60 metres being well within the requirements.</i></p>

Planning Element:	Street Setbacks
	<p><i>It should be noted that the applicant proposed a greater level of landscaping within the front setback area but was encouraged by the DAC to reduce this in preference for larger private courtyard/landscaped area to unit 1. This area is large enough to accommodate a reasonable amount of significant landscaping opportunities. The design of the units generally maximises the access for each unit to a northern courtyard whilst balancing the need to provide adequate setbacks to the development generally. The development as proposed also ensured the retention of the existing verge tree. It is considered and confirmed by the DAC that the design as proposed makes good use of the site and achieves a quality outcome for the location.</i></p> <p><i>Council's discretion is requested to support the proposed variation."</i></p>
Comments	<p>The site is located on the corner of The Boulevard and Britannia Road. The development is orientated south with views toward Britannia Reserve, which is consistent with other recent infill development situated on corner sites along Britannia Road.</p> <p>Nos. 141 and 143 Anzac Road situated to the north on opposite corners of The Boulevard and Anzac Road (southeast and southwest corners) act as a bookend to The Boulevard, encasing the established character of the street. These developments also have reduced building setbacks to The Boulevard in relation to the predominant setback pattern along The Boulevard. It is considered that the proposal maintains this effect of encasing streetscape character.</p> <p>The development proposes generous setbacks to neighbouring properties creating large open areas that can be landscaped to maintain and enhance neighbouring amenity.</p> <p>The proposal will not affect solar access to adjoining properties as Britannia Road is situated to the south of the site.</p>

Planning Element:	Lot Boundary Setbacks
Requirement:	<p>Residential Design Codes Clause 6.1.4</p> <p><u>Northern Boundary</u></p> <ul style="list-style-type: none"> • Second floor bulk wall to be setback 4.9 metres from the northern boundary.
Applicant's Proposal:	<p><u>Northern Boundary</u></p> <ul style="list-style-type: none"> • Second floor bulk wall setback 4.5 metres from the northern boundary, creating a variation of 0.4 metres.
Design Principles	<p>Residential Design Codes Clause 6.1.4</p> <p>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.

Planning Element:	Lot Boundary Setbacks
Applicant's Justification	<p><i>"Variation resulting following the DAC recommendation made on 1st Oct 2014 (re - minutes)</i></p> <p><i>"Enlarge second bedroom"</i> <i>The amended proposal was supported by DAC 5 November 2014.</i></p> <p><i>Further, the bulk of the wall has since been reduced with the protrusions of the bathroom to soften the impact of the wall and reduce its bulk. Due to the Northern orientation of the site there is no impact to the adjoining neighbours access to natural light and ventilation. The setback of major openings is consistent with the Residential Planning Codes requirements for overlooking.</i></p> <p><i>Council's discretion is requested to support the proposed variation."</i></p>
Comments	<p>The proposed northern elevation is articulated, with the use of various materials, colours and architectural detail to break up building bulk. The setback distance will also provide adequate open space for the planting of vegetation to soften the built form, reducing the effect of building bulk.</p> <p>The setback distance is considerable and will enable excellent access to northern sun to the proposed dwellings. The development will not affect access to sun to the neighbouring northern property.</p> <p>The proposed setback distance will provide excellent ventilation to the northern neighbouring dwelling and to the proposed dwellings.</p> <p>The proposed development is also fully compliant with the privacy requirements of the R-Codes.</p>

Planning Element:	Roof Forms
Requirement:	<p>Residential Design Elements Policy No. 7.2.1</p> <p>Roof pitch to be between 30-45 degrees.</p>
Applicant's Proposal:	27.5 degrees for the dwellings and 20 degrees for the carports.
Design Principles	<p>Residential Design Elements Policy No. 7.2.1</p> <p>BDPC 3</p> <p>(i) 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's Justification	<p><i>"Variation resulting following the DAC recommendation made on 1st Oct 2014 (re - Minutes)</i></p> <p><i>"Consider less obstructive roof structures over car parking to minimise the impression of bulk".</i></p>

Planning Element:	Roof Forms
	<p><i>Similarly the theme was extended over the development as a whole.</i></p> <p><i>The amended proposal was supported by DAC 5 November 2014.</i></p> <p><i>The proposed roof pitch to the dwellings is consistent with the existing residence and surrounding dwellings. The designer considers a greater roof pitch will have a negative impact upon the streetscape as well as unduly increase the height and bulk of the development. Due to the orientation of the site there is no impact from overshadowing onto surrounding sites.</i></p> <p><i>Council's discretion is requested to support the proposed variation."</i></p>
Comments	<p>Britannia Road is characterised by a variety of different roof styles.</p> <p>The proposed roof style replicates the style and aesthetic of existing roof styles in the area.</p> <p>The proposed roof pitch will not increase building bulk nor cause overshadowing to adjacent properties.</p> <p>The proposed roof style is acceptable in this instance.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Consultation Period	3 November 2014 to 17 November 2014		
Comments received	Ten (10) objections were received.		

Summary of Comments Received:	Officer Technical Comment:
<p><u>Building Size</u></p> <p>The size is inconsistent with existing buildings and the character of the area.</p> <p>The density of the proposed building is far too intense for the locality.</p>	<p>The variation to plot ratio requirements is minor.</p> <p>The proposed 'town-house' style of development is considered sympathetic with the predominant style of single and grouped dwelling developments existing in the area.</p> <p>The compact two storey development sits centrally within the lot, producing generous setbacks to all boundaries.</p> <p>The combination of generous setbacks and the two storey 'town-house' style of development aligns with that of neighbouring properties.</p> <p>It is considered that the development will not create an unacceptable increase in density in the locality as only four dwellings are proposed.</p>

Summary of Comments Received:	Officer Technical Comment:
<p><u>Streetscape</u></p> <p>Does not maintain the streetscape of The Boulevard.</p> <p>The application proposes unacceptable setback variations in relation to the requirements.</p>	<p>The site is located on the corner of The Boulevard and Britannia Road.</p> <p>The built form aligns with existing built form on corner lots. The proposed development acts as a bookend to The Boulevard, encasing the established character of the street.</p> <p>The development is considered consistent with the design principles of the R-Codes as it proposes generous setbacks to neighbouring properties creating large open areas that can be landscaped to maintain and enhance neighbouring amenity. Furthermore, the proposal will not affect solar access to adjoining properties.</p>
<p><u>The Boulevard Façade</u></p> <p>The Boulevard Façade lacks interest, is boring and presents as a side of a building.</p> <p>The setback is insufficient to plant trees to add visual interest.</p>	<p>It is considered that the Boulevard elevation is well articulated, with the use of various openings, outdoor living spaces, materials, colours and architectural detail to add interest to the streetscape.</p> <p>The setback distance from The Boulevard is generous and allows for open areas that can be landscaped to add interest to the streetscape and soften the built form.</p>
<p><u>Roof Pitch</u></p> <p>The roof pitch is not in keeping with the amenity of the area.</p>	<p>It is considered that the proposed roof style is representative of the style and aesthetic of existing roof styles in the area.</p>
<p><u>Parking</u></p> <p>The number of car bays is insufficient for the amount of people that will be living in the units. This will result in an overflow of cars being parking on Britannia Road and The Boulevard, which will become a safety hazard by blocking vehicle sightlines.</p> <p>The carbays are too small and will be difficult to access for cars other than small cars.</p>	<p>The amount of car parking provided is compliant with the requirements of the R-Codes.</p> <p>The car bays and access ways are compliant with the City's requirements.</p>
<p><u>Traffic</u></p> <p>The development will increase traffic flows in the area.</p>	<p>It is considered that the development will not create an unacceptable increase in traffic in the area as only four dwellings are proposed.</p>

Summary of Comments Received:	Officer Technical Comment:
<p><u>Amenity of Northern Neighbour</u></p> <p>The amenity of the northern neighbour will not be maintained. The neighbour will have four kitchen windows looking into their property as well as a wall that will be 0.4m closer than what is allowed.</p>	<p>The proposal is fully compliant with the visual privacy requirements of the R-Codes.</p> <p>The development proposes a setback variation of only 0.4 meters that will have no detrimental impact on the amenity of the northern neighbouring property.</p>
<p><u>Council's Plan to prohibit Multiple Dwellings in Mount Hawthorn</u></p> <p>The proposal is inconsistent with the Council's plan to prohibit Multiple Dwellings from Mount Hawthorn.</p>	<p>Currently Multiple Dwellings are a permitted use on this site and this proposal has been assessed as such.</p>
<p><u>Privacy</u></p> <p>The dwellings will overlook neighbouring properties.</p>	<p>The proposal is fully compliant with the visual privacy requirements of the R-Codes.</p>
<p><u>Landscaping</u></p> <p>The proposal provides little detail regarding landscaping in terms of the plant species and how it will be managed.</p>	<p>A recommended condition of approval is the submission and approval of a landscaping plan that will include how landscaping will be managed.</p>
<p><u>Disabled Access</u></p> <p>There is no mention of disability access yet the developer remarks that the dwellings will be marketed towards singles, couples and retirees.</p>	<p>The proposal is compliant with disability access requirements.</p>
<p><u>Safety and Security</u></p> <p>Occupants parking is located in a dark laneway.</p>	<p>The open carports and internal footpath will be casually surveyed from Britannia Road and the public footpath as well as the ROW and neighbouring dwellings.</p>
<p><u>Affordability</u></p> <p>The developer remarks that the dwellings will be an affordable option for young families, singles, couples and retirees, yet the sale price is not mentioned.</p>	<p>Sale prices are not a planning matter.</p>
<p><u>Internal Quality</u></p> <p>The internal plan appears to be low quality with small rooms and wardrobes.</p>	<p>Amended plans dated 17 November 2014 include the provision of larger bedrooms to increase the functionality of the dwellings.</p>

Design Advisory Committee:

As per the City's Policy No. 4.2.13 relating to Design Advisory Committee (DAC), the plans were referred to the DAC on 1 October 2014 and 5 November 2014.

The DAC support this proposal and are satisfied that all the previous mandatory requirements have been addressed.

They also suggest some minor changes that could be considered by the applicant, which could be assessed and dealt with internally by the City. The applicant has incorporated some of the suggested changes with revised plans.

The proposal does not require Design Excellence and therefore was not presented back to the DAC. For a full extract of the DAC comments please refer to Attachment 004.

LEGAL/POLICY:

The following legislation and policies apply to the demolition of an existing single house and the construction of a three storey development comprising of nine (9) two-bedroom multiple dwellings and associated car parking.

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes of Western Australia 2013;
- Residential Design Elements Policy No. 7.2.1;
- Development Guidelines for Multiple Dwelling Policy No. 7.4.8; and
- Mount Hawthorn Precinct Policy No. 7.1.1.

RISK MANAGEMENT IMPLICATIONS:

Should Council refuse the application for development approval, the applicant may have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 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 2013-2017 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 development will help to offset urban sprawl and its associated negative impacts.
SOCIAL
The development contributes positively to the social sustainability of the area by increasing density, social mix and diversity of dwelling types.
ECONOMIC
The development will make use of existing infrastructure and services available in an already built-up area, avoiding the cost of the new infrastructure required by Greenfield developments. It will also result in more affordable living for residents by avoiding the significant transport and car ownership costs that come with living in middle and outer suburbs.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Heritage Services

The proposed development application involves the demolition of the existing brick and tile residential building at No. 2 the Boulevarde, Mount Hawthorn. The subject property is not listed on the City's Municipal Heritage Inventory (MHI) or the MHI Review List.

A preliminary heritage assessment indicates that the subject place has little aesthetic, historic, scientific or social heritage significance. The place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered.

In light of the above, it is considered that demolition can be supported.

Technical and Health Services

Both departments have no objections to the proposal and their conditions have been incorporated.

Planning Services

Although technically Multiple Dwellings, the proposal presents as a 'town-house' style of development. Multiple Dwellings are currently a permitted use.

The proposed two storey development is considered to be of a scale and aesthetic that is sympathetic with the existing built form in the area.

The design has been carefully considered to minimise adverse impacts to the streetscape and neighbouring properties, which is reflected in the fact that only minimal variations to the R-Codes and Council Policy requirements are proposed.

Development along Britannia Road comprises of a mixture of housing types, styles and densities. There is no predominant style of development that defines the character of Britannia Road.

The proposal acts as a bookend to The Boulevarde, encasing the established character of the street.

The proposed residential units are well designed providing access to natural light and ventilation and exceed the minimum dwelling size requirements of the R-Codes.

CONCLUSION:

The proposal is considered acceptable for this locality, and will contribute positively to the aesthetic of the area. It is therefore recommended that the proposal is approved subject to conditions.

9.1.2 No. 18 (Lot: 72 D/P: 6049) Brady Street, Mount Hawthorn – Proposed Demolition of an Existing Single House and Construction of Eight (8) Multiple Dwellings and associated Car Parking

Ward:	North	Date:	5 December 2014
Precinct:	Mount Hawthorn; P1	File Ref:	5.2014.230.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Car Parking and Bicycle Tables 004 – Design Advisory Committee Comments dated 5 November 2014		
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 the application submitted by Lorenzo D’Alesio on behalf of the owner, Alpha Developments (WA) Pty Ltd, for the Proposed Demolition of an Existing Single House and Construction of a Two Storey Development Comprising of Eight (8) Two-bedroom Multiple Dwellings and Associated Car Parking at No. 18 (Lot: 72 D/P: 6049) Brady Street, Mount Hawthorn as shown on amended plans dated 20 November 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 demolition works on the site;

2. **Car Parking and Accessways**

- 2.1 Vehicle access to and from the site is limited to ‘Left In’ and ‘Left Out’ only;
- 2.2 A minimum of seven (7) residential car bays and one (1) visitor bay, are to be provided on site for the development;
- 2.3 The car park shall be used only by residents and visitors directly associated with the development;
- 2.4 The visitor bays are to be marked accordingly;
- 2.5 The car parking and access areas are to comply with the requirements of AS2890.1;
- 2.6 Vehicle and pedestrian access points are required to match into existing footpath levels; and
- 2.7 All new crossovers shall be constructed in accordance with the City’s Standard Crossover Specifications;

3. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Brady 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;

4. **Existing Verge Trees**

No existing verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

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

5.1 **Section 70A Notification under the Transfer of Land Act**

The owner shall agree in writing to:

5.1.1 A notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property; and

5.1.2 A notice being placed on the Sales Contract

to alert prospective purchasers of the following:

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

5.2 **Site Works**

Detailed plans of site works, including identification of pavement type, drainage, parking layout and proposed finished levels, shall be included in the building licence application working drawings;

5.3 **Car Parking Bays**

All car parking bays shall be dimensioned on the Building Permit application working drawings and all car parking facilities shall meet or exceed the minimum specifications of AS2890;

5.4 **Landscape and Reticulation Plan**

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

5.4.1 A minimum of ten (10) percent of the total site area (common) is to be provided as landscaping in the common areas;

5.4.2 A minimum of five (5) percent of the total site area (private courtyards shall be provided as soft landscaping within the development in the private outdoor living areas;

5.4.3 The location and type of existing and proposed trees and plants;

5.4.4 All vegetation including lawns;

5.4.5 Areas to be irrigated or reticulated; and

5.4.6 The redundant crossover being landscaped in accordance with the landscaping proposed for the remainder of the verge;

5.5 **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;

5.6 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 management of the site shall thereafter comply with the approved Construction Management Plan; and

5.7 Waste Management

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

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

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

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

6.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility or communal area in accordance with the Residential Design Codes of WA 2013;

6.2 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;

6.3 Stormwater

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

6.4 Section 70A Notification under the Transfer of Land Act lodgement and registration

In relation to condition 5.1, the notification shall be lodged and registered in accordance with the Transfer of Land Act;

6.5 Landscape Plan and Verge Upgrade Plan

In relation to condition 5.4, 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;

6.6 Bicycle Bays

A minimum of three (3) residential bays and one (1) visitor bay is to be provided on-site, located convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

6.7 Vehicle Access Signage

Signage stating that vehicle access to and from the site is limited to 'Left In' and 'Left Out' only and is to be clearly displayed on site.

ADVICE NOTES:

1. With regard to condition 2.6 & 2.7, 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 2.7 all new crossovers to the development site are subject to a separate application to be approved by the City;
 3. A Road and Verge security bond for the sum of \$2500 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's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
 4. With regard to condition 5.4, the City 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. If a request to erect scaffolding, site fencing etc. or if building materials is required to be stored within the road reserve once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate; and
 6. With reference to condition 6.3, 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 proposal is referred to Council for determination as it is for eight (8) multiple dwellings.

BACKGROUND:

Nil.

DETAILS:

Landowner:	Alpha Developments (WA) Pty Ltd
Applicant:	Lorenzo D'Alesio
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R60
Existing Land Use:	Single Dwelling
Use Class:	Multiple Dwellings
Use Classification:	"P"
Lot Area:	832 square metres
Right-of-Way:	N/A

The proposal is for the demolition of an existing single house and the construction of a two storey development comprising of eight (8) two-bedroom multiple dwellings and associated car parking.

The subject site is located in the Mount Hawthorn Precinct – Scheme Map 1. Draft TPS2 proposes the same R60 zoning.

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
Building Size/Plot Ratio		✓
Streetscape	✓	
Front Fence	N/A	
Street Setbacks		✓
Rear Building Interface	N/A	
Building Setbacks	✓	
Boundary Wall		✓
Building Height	✓	
Roof Forms		✓
Open Space	✓	
Bicycles	✓	
Access & Parking		✓
Privacy	✓	
Solar Access	✓	
Site Works	✓	
Essential Facilities	✓	
Surveillance	✓	
Landscaping	✓	

Acceptable Variations

Planning Element:	Building Size
Requirement:	Residential Design Codes Clause 6.1.1 Required Plot Ratio: 0.7 or 582.4 square metres
Applicant's Proposal:	Proposed Plot Ratio: 0.71 or 591.84 square metres, creating a plot ratio variation of 0.01 or 9.44 square metres.
Design Principles	Residential Design Codes Clause 6.1.1 P1 Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.
Applicant's Justification	Nil
Comments	The proposed variation is very minor, only exceeding the required plot ratio amount by 9.44 square metres. The massing of the development is divided into three buildings, dispersing the built form evenly on the lot and creating generous areas of open space between the buildings to off-set and reduce the effects of bulk and scale.

Planning Element:	Street Setbacks
Requirement:	Residential Design Elements Policy No. 7.2.1 Buildings are to be setback from the street alignment such distance as is generally consistent with the building setback on adjoining land and in the immediate locality. This equates to: <ul style="list-style-type: none"> • 7.3 metres for the ground floor; • 9.3 metres for the upper floors; and • 8.3 metres for the upper floor balconies.
Applicant's Proposal:	<ul style="list-style-type: none"> • 4.0 metres for the ground floor, creating a variation of 3.3 metres. • 4.8 metres for the upper floors, creating a variation of 4.5 metres; and • 2.2 metres for the upper floor balconies, creating a variation of 6.1 metres.
Design Principles	Residential Design Elements Policy No. 7.2.1 SPC 5 (i) Development is to be appropriately located on site to: <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.

Planning Element:	Street Setbacks
	(ii) Variations to the Acceptable Development 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.
Applicant's Justification	Nil
Comments	<p>Street setbacks in the locality vary due to the transitioning nature of Brady Street where more low-medium density infill development is occurring.</p> <p>The development proposes a street setback which is appropriate in relation to its location and zoning. It assists to facilitate infill development where it will suitably enhance the area.</p> <p>The proposed setbacks create generous private and communal open areas that can be landscaped to enhance the amenity of the streetscape.</p> <p>The proposed setbacks will not affect solar access to adjoining properties.</p>

Planning Element:	Buildings on the Boundary
Requirement:	Residential Design Codes Clause 6.1.4 Buildings on the boundary on one side boundary.
Applicant's Proposal:	Buildings on the boundary on two side boundaries.
Design Principles	Residential Design Codes Clause 6.1.4 P4.1 Buildings set back from boundaries or adjacent buildings so as to: <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 the protection of privacy between adjoining properties.
Applicant's Justification	Nil
Comments	<p>The length of the boundary walls and their average and maximum heights align with the requirements for boundary walls on a lot with an R60 density coding, except that a compliant development would only be permitted to have a boundary wall on one side boundary.</p> <p>The variation therefore is two boundary walls.</p> <p>The impact of the proposed boundary walls are as follows:</p> <ol style="list-style-type: none"> 1. The northern wall has no impact.

Planning Element:	Buildings on the Boundary
	<p>2. The southern wall overshadows a patio area on the adjoining southern lot. However the overshadowing produced from the boundary walls is less than the overshadowing of the upper floors of the development. The upper floor setbacks are compliant, therefore the boundary walls have no impact.</p> <p>The variation of two boundary walls therefore has no impact on adjoining properties and assists to increase privacy between properties.</p>

Planning Element:	Roof Forms
Requirement:	<p>Residential Design Elements Policy No. 7.2.1</p> <p>Roof pitch to be between 30-45 degrees.</p>
Applicant's Proposal:	4 degree skillion roof.
Design Principles	<p>Residential Design Elements Policy No. 7.2.1</p> <p>BDPC 3</p> <p>(i) 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's Justification	Nil
Comments	There is no recognised streetscape character that needs to be retained in relation to roof form along Brady Street and therefore a skillion roof is supported in this instance.

Planning Element:	Car Parking
Requirement:	<p>Residential Design Codes 6.3.3</p> <p>Residential bays: 7 Residential visitors bays: 2</p>
Applicant's Proposal:	Residential bays: 8 Residential visitors bays: 1
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 projected 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.
Comments	<p>The development proposes a shortfall of 1 visitor bay.</p> <p>Frequent bus services run along Brady Street and Scarborough Beach Road, which is located approximately 170 meters north of the site. Glendalough Train Station is also located approximately 600 meters from the site.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Consultation Period	The application was initially advertised from 2 July 2014 to 16 July 2014 and five (5) objections were received. Following this advertising period, the proposal was completely redesigned and the new plans were readvertised from 4 November 2014 to 18 November 2014		
Comments Received	Five (5) objections were received, three (3) of the objections were from people who objected during both advertising periods, therefore there were a total of seven (7) objectors to the two proposals for this site.		

Summary of Comments Received:	Officer Technical Comment:
<p><u>Building Size and Building Setbacks</u></p> <p>The large building size and reduced building setbacks will encroach on my property and thus compromising my privacy.</p>	<p>The plot ratio variation is minor. The development mass has been divided into three parts, providing sizable areas of open space between buildings to reduce the effects of bulk and scale.</p> <p>Amended plans have been provided that comply with all lot boundary setback requirements.</p> <p>The proposal will therefore not have an impact in relation to bulk and scale on the neighbouring properties or the streetscape.</p>
<p><u>Existing Mature Tree</u></p> <p>During demolition and construction the roots of an existing mature tree on my property may be damaged.</p>	<p>The damage of any neighbouring tree roots that encroach into the subject site is a civil matter between the two neighbouring owners and is not a Council matter.</p>
<p><u>Compromise Privacy</u></p> <p>The active habitable spaces and balconies may compromise my privacy.</p>	<p>The proposal is fully compliant with the privacy requirements of the R-Codes.</p>
<p><u>Boundary Fence</u></p> <p>Will the existing boundary fence be retained and if not what financial onus will be placed on myself.</p>	<p>Dividing fences are a civil matter between the two parties.</p>

Design Advisory Committee:

As per the City's Policy No. 4.2.13 relating to Design Advisory Committee (DAC), the plans were referred to the DAC on 2 July 2014 and 5 November 2014.

The DAC is satisfied that the previous mandatory requirements have been addressed by the applicant.

The DAC also suggested some minor changes to the design that could be considered by the applicant.

The applicant has incorporated some of the suggested changes with revised plans.

The proposal does not require Design Excellence and therefore the plans currently under consideration were not presented back to the DAC. For a full extract of the DAC comments please refer to Attachment 004.

LEGAL/POLICY:

The following legislation and policies apply to the demolition of an existing single house and the construction of a three storey development comprising of nine (9) two-bedroom multiple dwellings and associated car parking.

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- Residential Design Codes of Western Australia 2013;
- Residential Design Elements Policy No. 7.2.1;
- Development Guidelines for Multiple Dwelling Policy No. 7.4.8; and
- Mount Hawthorn Precinct Policy No. 7.1.1.

RISK MANAGEMENT IMPLICATIONS:

Should Council refuse the application for development approval, the applicant may have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Natural and Built Environment

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

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SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2017 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 development will help to offset urban sprawl and its associated negative impacts.

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

ECONOMIC
The development will make use of existing infrastructure and services available in an already built-up area, avoiding the cost of the new infrastructure required by Greenfield developments. It will also result in more affordable living for residents by avoiding the significant transport and car ownership costs that come with living in middle and outer suburbs.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Heritage Services

The proposed development application involves the demolition of the existing brick and tile residential building at No. 18 Brady Street, Mount Hawthorn. The subject property is not listed on the City's Municipal Heritage Inventory (MHI) or the MHI Review List.

A preliminary heritage assessment indicates that the subject place has little aesthetic, historic, scientific or social heritage significance. The place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered.

In light of the above, it is considered that demolition can be supported.

Technical Services

Technical Services have provided conditions that have been incorporated into the recommendation for approval.

Planning Services

The proposed two storey development is considered to be of a bulk and scale that is consistent with the City's vision for this locality, which has been earmarked for higher density development.

The design has been carefully considered to minimise adverse impacts to the streetscape and neighbouring properties, which is reflected in the fact that only minimal variations to the requirements are sought.

All of the residential units have access to natural light and ventilation and exceed the minimum dwelling size requirements of the R-Codes. The dwellings will add variety to the predominant housing stock of single dwellings in the Mount Hawthorn area.

CONCLUSION:

The proposal is considered to be acceptable and will contribute to improving the aesthetic of the area. It is therefore recommended that the proposal is approved subject to conditions.

9.1.3 No. 459 (Lot 9, 10, 11, 12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth – Proposed Extension to Temporary Vintage Market (Unlisted Use) in the Rosemount Hotel Car Park Area

Ward:	North	Date:	5 December 2014
Precinct:	North Perth Centre; P9	File Ref:	PRO0315; 5.2014.596.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Applicant’s Submission 004 – Letters of Support		
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 BY AN ABSOLUTE MAJORITY** the application submitted by H-J Ayres on behalf of the owners, Tegra Pty Ltd, Argyle Holdies Pty Ltd, Yalaba Pty Ltd, Silverjay Nominees Pty Ltd and Alcalauren Pty Ltd, for the Proposed Extension to Temporary Additional Use of Existing Car Park as Unlisted Use (Vintage Market) at No. 459 (Lot: 9, 10, 11, 12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth as shown on plans date-stamped 23 October 2014, included as Attachment 002, subject to the following conditions:

1. The hours of operation for the Vintage Market shall be as follows:
 - 1.1 Day Market
 - 1.1.1 Stallholder “set-up” shall occur no earlier than 7:30am;
 - 1.1.2 Public access and sales shall only be conducted between 10:00am and 3:00pm;
 - 1.1.3 Stallholder “pack- up” shall be concluded by 4:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
 - 1.1.4 The Vintage Market is to operate on either Saturday or Sunday once a fortnight;
 - 1.2 Night Market
 - 1.2.1 Stallholder “set-up” shall occur no earlier than 3:30pm;
 - 1.2.2 Public access and sales shall only be conducted between 4:30pm and 9:30pm;
 - 1.2.3 Stallholder “pack- up” shall be concluded by 10:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
 - 1.2.4 The Market is to operate on either Friday or Saturday once a fortnight;

2. **Notification of Events**

Notice of the date and time of the markets in accordance with conditions 1.1 and 1.2 shall be provided to the City sixty (60) days prior to that event taking place;

3. **Approval Period**

The approval for the day markets and night markets is valid until 31 December 2015 and 30 April 2015 respectively only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;

4. **Type of Stalls**

The type of stalls shall be limited to those specified in the Applicant's submission and to the satisfaction of the City;

5. **Public Indemnity**

The applicant shall hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day;

6. **PRIOR TO THE COMMENCEMENT OF THE VINTAGE MARKET USE, the Applicant shall:**

6.1 **Submit Operational Guidelines and Market Rules to the City in accordance with the City's Policy *Guidelines for Markets in the City of Vincent*; and**

6.2 **Submit a Waste Management Plan to the City for approval, to the satisfaction of the City; and**

7. **DURING OPERATION OF THE OUTDOOR FARMERS MARKET, the applicant shall comply with the following:**

7.1 **Responsible Representative**

A responsible representative of the Vintage Markets shall be present on-site during the operation of the market to respond to any complaints or concerns;

7.2 **Complaints**

A Complaints and Information "Hot-line" mobile phone number shall be made available to the public and displayed at the markets, to enable persons to seek information or lodge any complaints;

7.3 Compliance

The applicant shall comply, and also ensure that all stall holders comply at all times with the Market Guidelines submitted to and approved by the City; and

7.4 Cleaning of Market Area

The market area shall be in a clean and tidy condition during the market hours/days and shall be cleaned by the party responsible for the vintage markets to the satisfaction of the City, by 4:00pm (day markets) and 10:00pm (night markets) on market days.

ADVICE NOTES:

1. The Applicant shall
 - 1.1 Apply to the City's Health and Compliance Services for Public Building Approval under the *Health Act 1911*;
 - 1.2 Ensure full compliance with the provisions of the Food Act 2008 and Australian New Zealand Food Standards Code. No food shall be sold to the public unless approved by the City's Health and Compliance Services Section;
 - 1.3 Obtain a Special Events Permit from the City's Health and Compliance Services Section for all temporary food stalls. Application forms together with the relevant fees shall be submitted at least fourteen (14) days prior to the commencement of trade; and
 - 1.4 Ensure that sound levels created do not exceed the provisions of the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;
2. Any buskers operating in the market area comply with the following requirements. The buskers must:
 - 2.1 be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);
 - 2.2 not use inappropriate language, material, etc;
 - 2.3 remain within the subject site while undertaking their act;
 - 2.4 not impede or prevent any persons or pedestrians from going about their normal business; and
 - 2.5 not restrict ready access to the premises; and
3. Any "A" frame signage proposed to be placed on any land under the care, control and management of the City will require the issue of a Permit pursuant to the City of Vincent Local Government Property Local Law 2008.

PURPOSE OF REPORT:

The purpose of this report is to amend the previous approval granted by Council at its meeting held on 9 September 2013 for the existing Vintage Markets at No. 459 Fitzgerald Street, North Perth, in order to extend the duration and frequency of the Markets.

BACKGROUND:

The Vintage Market has been operating from its current location in the Rosemount Hotel car park since May 2014. Council granted Planning Approval for the Vintage Market at its Meeting on 9 September 2014 with a condition restricting the frequency of the event to the last Sunday of every month.

Since the Vintage Market commenced operations, the applicant has advised that the markets have been very popular amongst the local community with many small and local businesses requesting stall space to sell their products.

The proposal seeks to increase the frequency of the approved day-time markets from the last Sunday of every month to either Saturday or Sunday, on a fortnightly basis between 10:00am and 3:00pm. In addition, the applicant proposes evening markets on Friday or Saturday nights on a fortnightly basis between 4:30pm and 9:30pm.

Both day and night markets will cover the entire car parking area and will include stalls from various vendors selling vintage goods including clothing, music, books, small furniture, confectionary, toiletries, or bric-a-brac. The markets also propose low risk food vendors and community funded stalls doing bake sales.

Condition 6 of the Council's previous Planning Approval would remain on any amended approval, requiring in order to address the proposed changes to the Vintage Market including Operational Guidelines, Market Rules and a Waste Management Plan to be submitted to the City for approval, prior to commencement of the Market. In addition, the applicant is still required to apply to the City for Public Building Approval, which has not been sought since the previous approval.

Previous Reports to Council:

The Minutes of Item 9.1.4 from the Ordinary Meeting of Council held on 9 September 2014 relating to this matter are available on the City's website.

DETAILS:

Landowner:	Tegra Pty Ltd, Argyle Holdies Pty Ltd, Yalaba Pty Ltd, Silverjay Nominees Pty Ltd and Alcal Lauren Pty Ltd
Applicant:	H-J Ayres
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): District Centre
Existing Land Use:	Parking
Use Class:	Unlisted Use (Vintage Market)
Use Classification:	"SA"
Lot Area:	2101 square metres
Right of Way:	N/A

ASSESSMENT:

Land Use

Under the City's Town Planning Scheme No. 1 a Vintage Market is classified an Unlisted Use. The applicant is seeking approval for a greater frequency of weekend markets with additional evening markets on either Friday or Saturday nights during the warmer months.

Since commencing operations the vintage market has proved itself to be an attraction that draws people into the local precinct by showcasing local artists, cafes and retail stores of North Perth. The location of the market within the Rosemount Hotel car park area is an appropriate size to restrict control over the growth of events.

The day markets have a casual feel which attracts a variety of people to the area. The night markets are also anticipated to attract a similar crowd however have the potential to result in disturbances to the surrounding residential properties. As such, strict controls over noise will be essential to ensure the success and continued community support of the proposal.

The markets bring substantial activation to North Perth which is seen to be very beneficial to the local community and business owners.

Car Parking

Day Market

Issue/Design Element: Parking	
Car parking requirement (nearest whole number) • Market – 3 spaces per stall provided (max of 45 stalls) Total car bays required = 135 car parking bays	135 car bays
Adjustment factors • 0.80 (The development is located within 400 metres of a bus route) • 0.80 (the development is within 200 metres of an existing off-street public car park with in excess of 50 car parking spaces.) • 0.90 (the development is located in a Town Centre.)	(0.576) 77.76 car bays
Minus the car parking provided on-site	0
Minus the previously approved on-site car parking shortfall	N/A
Resultant Shortfall	77.76 car bays

Night Market

Issue/Design Element: Parking	
Car parking requirement (nearest whole number) • Market – 3 spaces per stall provided (max of 25 stalls) Total car bays required = 75 car parking bays	135 car bays
Adjustment factors • 0.80 (The development is located within 400 metres of a bus route) • 0.80 (the development is within 200 metres of an existing off-street public car park with in excess of 50 car parking spaces.) • 0.90 (the development is located in a Town Centre.)	(0.576) 43.2 car bays
Minus the car parking provided on-site	0
Minus the previously approved on-site car parking shortfall	N/A
Resultant Shortfall	43.2 car bays

The operation of the market will lead to a car parking shortfall. This is in addition to the existing shortfall from the Rosemount Hotel due to the use of the entire Rosemount Hotel car park.

The subject site is surrounded by two public car parks being the View Street and Wasley Street car parks. Both car parks have in excess of 40 car bays which are at approximately 20 per cent capacity from 9:00am to 11:00am with an increase in occupancy seen closer to lunch time.

Additional there is also the privately owned North Perth Plaza car park has 118 car bays. It is estimated that this car park operates between thirty (30) and fifty (50) per cent capacity during the proposed day time market operation times and is relatively empty during the hours of the proposed night market.

In the area bounded by Fitzgerald Street, Charles Street, Farmer Street and View Street there is approximately 80 on street car bays.

The market has been in operation for several months since commencing in May 2014. Since commencement the City has not received any complaints regarding the lack of car parking provided. In addition, many local businesses surrounding the vintage market have provided letters of support outlining how beneficial the markets are to the area and the development of surrounding local business (contained in Attachment 004).

The car parking shortfall proposed is not considered to have an undue impact on the surrounding community as the events are of a temporary nature. Due to this, the requirement to provide cash-in-lieu is not considered appropriate. In addition, the benefits of the market outweigh the need to provide car parking.

Waste Management Plan and Litter Control

An updated Waste Management Plan will be required to be submitted to the City, prior to the commencement of the use to ensure that waste is appropriately managed given the additional intensity of the use.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	7 November 2014 to 27 November 2014.
Comments Received:	Five (5) letters of support and two (2) objections were received during the community consultation period. Please note: the letters objecting to the proposals did not provide any additional comments.

Summary of Comments Received:	Officer Technical Comment:
<p>Issue: Noise</p> <p><i>“Noise pollution for the night markets – how will the noise level be controlled/monitored that are kept within the authorised guidelines?”</i></p>	<p>The applicant has advised that the Rosemount Hotel's night markets will not host any music which uses a PA or amplification, and will not be playing music over a PA in the carpark area. The markets will be packed up no later than 10pm on any given night, meaning the event falls well within any noise restrictions for Friday and Saturday nights. The proponent maintains that noise levels emitted by the event will be far less than the guidelines presented in Reg.18 of The Concert and Mass Gathering Guidelines, or the noise produced from the cars that would otherwise be driving in the carpark area.</p> <p>Hot food and alcohol will not be served in the carpark area, giving patrons little reason to loiter in the carpark area. For this reason, social activity is driven towards the Rosemount Hotel to enjoy food, beverage and a lovely evening amongst friends.</p> <p>In order to ensure that the night markets do not become a nuisance it is recommended that planning approval for the night markets be granted for a period of 6 months only. During this time the impacts of the market can be further understood prior to additional approvals being granted.</p>

LEGAL/POLICY:

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

Under Clause 39 of the Town Planning Scheme No. 1 Council cannot grant planning approval for a development which involves an unlisted use unless it is satisfied, by an absolute majority that the proposed development is consistent with the matters listed in Clause 38 (5).

RISK MANAGEMENT IMPLICATIONS:

Should Council refuse the application for development approval, the applicant may have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act*.

In addition, if the application was refused the North Perth Local Centre would run the risk of losing the community and local business activation that the Vintage Market provides.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Community Development and Wellbeing

3.1 *Enhance and promote community development and wellbeing;*

3.1.3 *Promote and provide a range of community events to bring people together and to foster a community way of life".*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Promotes health and wellbeing in the community".

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

ENVIRONMENTAL	
Issue	Comment
The market will promote the re-use of existing products.	

SOCIAL	
Issue	Comment
The market will be a community event for the residents in the immediate and surrounding areas.	

ECONOMIC	
Issue	Comment
The market will economically benefit local artists, local food and beverage creators, community funded stalls and businesses in the immediate area.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

Place Maker:

The current Golden Days Vintage Market at the Rosemount Hotel provides North Perth Town Centre with its only open-air market.

This market is an important meeting point for the North Perth community and must be given the flexibility it needs to evolve and grow to suit the needs of its local patrons. The market activates an important space in the North Perth Town Centre and provides an opportunity for community based activities for a wide range of demographics.

The market also provides an opportunity for small, local business to access the market place. This is critical in the current environment of high rents and online retail.

These markets are deeply beneficial for the area and the extension of the existing Vintage Market should be supported.

Planning Services:

Temporary outdoor markets have become increasingly popular in recent years as a way of revitalising public spaces. Within the City of Vincent and surrounding area, a number of day markets and twilight markets are being approved due to the popular demand placed on local councils through the community.

The market covers the entire car park of the Rosemount Hotel removing the ability to provide any car parking to both the market attendees and the clients of the Rosemount Hotel itself. There are however other parking options within the area as well as public transport or pedestrian/bike options to be used. As the market would be operational for only a few hours on market days this short term disruption is not considered to be unreasonable. The overall benefits to the local community through the Vintage Market are considered to outweigh any negatives associated with this use.

However as the impact of the proposed night markets are not yet known it is appropriate that its approval is only valid for 6 months.

CONCLUSION:

The proposed location for the Vintage Market is considered to be appropriate. In order to ensure that the market continues to be managed properly to avoid adverse impact to the surrounding areas, a number of conditions and advice notes are recommended including that the approval be limited.

9.1.4 No. 663 (Lot 1 STR: 10630) Newcastle Street, Leederville – Proposed Outdoor Farmers Market (Unlisted Use) (Renewal of Planning Approval)

Ward:	South	Date:	5 December 2014
Precinct:	Oxford Centre; P04	File Ref:	5.2014.629.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Operational Guidelines		
Tabled Items:	Nil		
Reporting Officer:	S Laming, 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 Farmers Market W.A. PTY on behalf of the owner The Leederville Village Strata Plan 10630 for Proposed Outdoor Farmers Market (Unlisted Use), at No. 663 (Lot 1 STR: 10630) Newcastle Street, and as shown on plans date stamped 10 November 2014, included as Attachment 002, subject to the following conditions:

1. Day and Hours of Operation

- 1.1 The Outdoor Farmers Market is permitted to operate on Sundays only;
- 1.2 The hours of operation for the Outdoor Farmers Market shall be as follows:
 - 1.2.1 Stallholder “set - up” shall occur no earlier than 6:30am;
 - 1.2.2 Public access and sales shall only be conducted between 7:30am and 12:30pm; and
 - 1.2.3 Stallholder “pack – up” shall cease no later than 1:30pm on market day;

2. Number and Type of Stalls

- 2.1 A maximum of 40 stalls shall be in operation at any one time; and
- 2.2 The type of stalls shall be limited to those specified in the “*Leederville Farmers Market Operational Guidelines and Market Rules*” (as shown in Attachment 003) and to the satisfaction of the City;

3. Approval Period

This approval for the Outdoor Farmers Market is valid until 31 December 2016 and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this period, it shall be necessary to re-apply to and obtain approval from the Council prior to continuation of the use;

4. **Strata Access**

The applicant shall ensure that all the tenants of the Leederville Village Strata Plan will be able to have reasonable access to their tenancies at all times during the market hours;

5. **Public Indemnity**

The applicant shall hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day;

6. **PRIOR TO THE CONTINUATION OF THE OUTDOOR FARMERS MARKET USE, the Applicant shall:**

6.1 **Waste Management Plan**

Submit and obtain approval from the City for an updated Waste Management Plan; and

6.2 **Parking Management Plan**

Submit an updated Parking Management Plan to the City for approval, to the satisfaction of the City's Director of Community Services; and

7. **DURING OPERATION OF THE OUTDOOR FARMERS MARKET, the applicant shall comply with the following:**

7.1 **Responsible Representative**

A responsible representative of the Farmers Market WA shall be present on-site during the operation of the market (i.e. 6.30am – 1:30pm) to respond to any complaints or concerns;

7.2 **Complaints**

A Complaints and Information "Hot-line" mobile phone number shall be made available to the public and displayed at the markets, to enable persons to seek information or lodge any complaints;

7.3 **Compliance**

The applicant shall comply, and also ensure that all stall holders comply at all times with the "*Leederville Farmers Market Operational Guidelines and Market Rules*"; and

7.4 **Cleaning of Market Area**

The market area shall be in a clean and tidy condition during the market hours and will be cleaned to a standard that is to the satisfaction of the City by 1:30 pm on market days.

ADVICE NOTES:

1. **The Applicant shall**
 - 1.1 **Ensure full compliance with the provisions of Health Act 1911 (as amended), Health (Food Hygiene) Regulations 1993, and compliance with the FSANZ Food Safety Standards is required for all temporary food stalls/food vans. No food shall be sold to the public unless approved by the City's Health and Compliance Services Section;**
 - 1.2 **Obtain a Special Events Permit from the City's Health and Compliance Services Section for all temporary food stalls/food vans. Application forms together with the relevant fees shall be submitted at least seven (7) days prior to the commencement of trade;**
 - 1.3 **Ensure that any buskers operating in the market area comply with the following requirements. The buskers must:**
 - 1.3.1 **Be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);**
 - 1.3.2 **Not use inappropriate language, material, etc;**
 - 1.3.3 **Remain within the subject site while undertaking their act;**
 - 1.3.4 **Not impede or prevent any persons or pedestrians from going about their normal business; and**
 - 1.3.5 **Not restrict ready access to the premises;**
 - 1.4 **Ensure that any "A" Frame signage placed on any land under the care control and management of the City will be the subject of a Permit issued pursuant to the City of Vincent Local Government Property Local Law 2008;**
 - 1.5 **Apply for Public Building Approval under the Health Act 1911; and**
 - 1.6 **Submit an updated Food Safety Plan to the City satisfying requirements of the Food Act 2010.**

PURPOSE OF REPORT:

The purpose of this report is to renew the 12 month approval that was granted by Council on 17 December 2013 to enable the existing Leederville Outdoor Farmers Market at No. 1/663 Newcastle Street, Leederville to continue to operate.

BACKGROUND:

The Leederville Outdoor Farmers Market has operated from its current location since. Planning Approval was granted by Council at its Ordinary Meeting on 17 December 2013 with a condition that the approval was valid until 17 December 2014 and a renewal of Planning Approval would be required prior to continuation of the use past that date.

Since the Outdoor Farmers Market commenced operations, the City has not received any formal complaints related to the nature of or operation of the market. The applicant has advised that the market has operated with considerable success and that the majority of its stallholders have found the market to be a commercially viable sales outlet.

Products on offer at the Outdoor Farmers Market have included home grown produce, baked goods, cooked meals, freshly caught seafood, pickled condiments and a variety of other health food condiments.

Previous Reports to Council:

The Minutes of Item 9.1.11 from the Ordinary Meeting of Council held on 17 December 2013 relating to this report are available on the City's website.

DETAILS:

Landowner:	E. Serrano
Applicant:	Farmers Markets W.A. PTY. LTD.
Zoning:	District Centre
Existing Land Use:	Parking
Use Class:	Unlisted Use (Outdoor Market)
Use Classification:	SA
Lot Area:	7163 Square Meters
Right of Way:	N/A

This application proposes a minor amendment and renewal to the previously approved use for an Outdoor Farmers Market (Unlisted Use), which will expire on 8 January 2015.

This proposal is identical to the previously approved, with an exception to the proposed hours of operation. The previous approval permitted the market to operate and provide public access and sales between the hours of 7:30am and 12:00pm on Sundays only. This application proposes hours of operation for public access between 7:30am and 12:30pm on Sundays only.

ASSESSMENT:

Land Use

Under the City's Town Planning Scheme No. 1 an Outdoor Farmers Market is classified as an Unlisted Use. The applicant is seeking approval for an increase in the hours of operation from the currently approved timeframe between 7:30am and 12:00pm to 7:30am and 12:30pm.

Since commencing operations the outdoor farmers market has proved itself to be an attraction that draws people into the local precinct by providing an alternative shopping experience where fresh produce, organic products and a variety of other health foods are available. The market has attracted shoppers into the area, which has also been of benefit to the nearby permanent commercial tenancies within the Leederville town centre.

The location of the market within the Leederville Village car park area is appropriate.

Car Parking

Car parking requirements for the existing outdoor farmers market use were assessed and approved in the previous approval granted by Council. As the proposal the subject of this application is identical to the current market operation, there are no changes in regard to car parking.

Waste Management Plan and Litter Control

An updated Waste Management Plan will be required to be submitted to the City, prior to the commencement of the use to ensure that waste is appropriately managed.

CONSULTATION/ADVERTISING:

As required by the City's Town Planning Scheme No. 1, this proposal was advertised as it was for an "SA" unlisted use "Outdoor Farmers Market".

A total of 418 letters were posted to owners and occupiers within a 200 metre radius of the subject site, as shown in Attachment 001.

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	14 November 2014 to 28 November 2014
Comments Received:	Six (6) submissions received: <ul style="list-style-type: none"> • Five (5) submissions in support – no comments were provided. • One (1) submission stating a general concern which is outlined below.

Summary of Comments Received:	Officer Technical Comment:
<p>Issue: Conflict of Commercial Interest</p> <p>One (1) submission was received with the following general concern:</p> <p><i>"Agreement has been reached with the operators of Leederville Farmers Market that they shall not sell coffee from the markets in order to protect the trade of existing cafes in the Leederville Town Centre area."</i></p>	<p>Noted – The City does not have any policy control over the type of market stalls or products offered at the outdoor market. However, the applicant has provided an Operational Guidelines which outlines the type of market stalls and products to be offered at the market. Accordingly, the City has included a condition in the approval that requires the market operator and stall holders to comply with the Operational Guidelines at all times.</p>

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

LEGAL/POLICY:

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

Under Clause 39 of the City's Town Planning Scheme No. 1 Council cannot grant planning approval for a development which involves an unlisted use unless it is satisfied, by an absolute majority that the proposed development is consistent with the matters listed in Clause 38 (5).

RISK MANAGEMENT IMPLICATIONS:

Should Council refuse the application for development approval, the applicant may have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act*.

Denying the continuation of this market also carries the risk of losing activation of the area.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Community Development and Wellbeing

3.1 *Enhance and promote community development and wellbeing;*

3.1.3 *Promote and provide a range of community events to bring people together and to foster a community way of life."*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

"Promote health and wellbeing in the community".

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

ENVIRONMENTAL	
Issue	Comment
The Market will be promoting locally produced fruits and vegetables.	

SOCIAL	
Issue	Comment
The Market will be a community event for the residents in the immediate and surroundings area.	

ECONOMIC	
Issue	Comment
The Market will economically benefit local food producers and immediate businesses in the area.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS

Place Manager

The Leederville Town Centre Retail Sustainability Assessment states that the Town Centre does not currently have sufficient retail floor space in the category of take-home food and groceries. The Leederville Outdoor Farmers Market meets this latent demand by providing residents and visitors to the Leederville Town Centre with an opportunity to access locally produced food in an open-air market setting.

Temporarily replacing the car parking area with an active and community based use produces a positive outcome for the precinct. Permanent commercial tenancies within the town centre can benefit from the outdoor farmers market, as the products and experience on offer attract patrons from the wider Perth community.

The Farmers Market also provides an opportunity for small local enterprises to enter the market place in a high cost and highly competitive environment.

Planning Services

The Leederville Outdoor Farmers Market has been in operation since receiving approval on 8 January 2014. During this time the City has not received any formal complaints related to the nature of or operation of the market.

The City supports commercial diversity and considers the farmers market to be a positive use for the Leederville town centre in this regard. Accordingly, the City supports the continuation of the farmers market use.

Conclusion

On the above basis it is City recommended that an approval be granted that is valid until 31 December 2016.

9.1.5 No. 45 (Lot: 770 D/P: 301693) Cowle Street, West Perth – Proposed Demolition of Existing Single House and Construction of Four Storey Development

Ward:	South	Date:	5 December 2014
Precinct:	Hyde Park; P12	File Ref:	PRO3685, 5.2014.438.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Development Context Report dated 8 August 2014 004 – Applicant’s Submission dated 13 October 2014 005 – Design Advisory Committee Minutes dated 5 November 2014 006 – Summary of DAC Comments from previous meetings 007 – Heritage Comments dated 18 November 2014 008 – Health, Building and Technical Services Comments		
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 Metropolitan Region Scheme, REFUSES the application submitted by Doepel Marsh Architects on behalf of the owners Desert Rose Investments, for the Proposed Demolition of an Existing Single House and Construction of a Four Storey Development Comprising Three (3) One-Bedroom and Seven (7) Two-Bedroom Multiple Dwellings and Associated Car Parking at No. 45 (Lot: 779 D/P: 301693) Cowle Street, West Perth as shown on amended plans date-stamped 25 November 2014, included as Attachment 002, for the following reasons:

1. The development does not meet the objectives and intentions of the City’s Town Planning Scheme No. 1, specifically as the proposal does not facilitate or respect controlled development which meets the desired and future vision for the area;
2. The height is excessive and inconsistent with the existing and future desired built form of the locality (Non-compliance with Policy No. 7.5.11 in relation to the Exercise of Discretion for Development Variations regarding the number of storeys proposed);
3. The proposal does not comply with side and rear lot boundary setbacks prescribed in the R-Codes, resulting in development which will have a negative impact on adjoining properties; and
4. The proposal fails to comply with the landscaping provision in accordance with Clause 4.2 of Policy No. 7.4.8 Development Guidelines for Multiple Dwellings.

PURPOSE OF REPORT:

The proposal is referred to Council for determination given the proposal is for a four storey multiple dwelling development.

BACKGROUND:

Nil.

DETAILS:

Landowner:	Desert Rose Investments
Applicant:	Doepel Marsh Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: R80
Existing Land Use:	Single House
Use Class:	Multiple Dwelling
Use Classification:	"P"
Lot Area:	622 square metres
Right of Way:	N/A

The applicant proposes the demolition of the existing single house and construction of a four-storey Multiple Dwelling Development comprising of three (3) one-bedroom and seven (7) two-bedroom multiple dwellings and associated car parking. To accommodate the development it is proposed to excavate 1.34 metres at the rear of the lot.

Under the City's Draft Town Planning Scheme No. 2 the lot is proposed to retain its R80 density coding and two storey height as required by the City's policies.

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		✓
Street Setback		✓
Lot Boundary Setbacks		✓
Number of Storeys		✓
Dwelling Size	✓	
Landscaping		✓
Roof forms		✓
Bicycles		✓
Access & Parking		✓
Privacy	✓	
Solar Access	N/A	
Site Works		✓
Utilities and Facilities	✓	
Surveillance	✓	

Acceptable Variations

Issue/Design Element:	Plot Ratio
Requirement:	R-Codes Clause 6.1.1 Plot Ratio – R80 = 1.0 or 622 square metres
Applicant's Proposal:	Plot Ratio = 1.002 or 623.25 square metres
Performance Criteria:	P1 Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.
Applicant justification summary:	<i>Refer to the applicants Development Context Report contained in Attachment 003.</i>
Officer technical comment:	The proposed development exceeds the plot ratio by 1.25 square metres. This is a minor variation to the permitted plot ratio and is not anticipated to result in any significant adverse impact upon the adjoining properties and the anticipated future development of the street.

Issue/Design Element:	Street Setback
Requirement:	Residential Design Elements Policy No. 7.2.1 Lower Floor An average of five properties either side of the development = 6.99 metres Upper floor Walls - A minimum of two (2) metres behind each portion of the ground floor setback Balconies – A minimum of one (1) metre behind the ground floor setback
Applicant's Proposal:	Ground floor – 4.6 metres (proposed variation of 2.39 metres) Upper floors – Walls - directly above ground floor and first floor (proposed variation of 4.39 metres) Balconies – overhangs ground floor by 2.5 metres (proposed variation of 5.89 metres)
Performance Criteria:	SPC 5 (in) Development is to be appropriately located on site to: <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. (ii) Variations to the Acceptable Development 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.

Issue/Design Element:	Street Setback
Applicant justification summary:	<i>Sub clause 2.4.1 of Policy 7.4.8 requires street setbacks to be in accordance with subclause 6.4.2(i) of Policy 7.2.1. The intent of this policy is primarily not for higher density development as being proposed. The subject site is located in a transitional area, where there is a mix of single residential dwellings with greater front setbacks and higher density of multiple dwelling developments with much lesser front setbacks.</i>
Officer technical comment:	While the front setback variations are significant Cowle Street is currently undergoing change with a number of new multiple dwelling developments approved with varying front setbacks similar to the variation proposed for this development. The variation in this location is therefore acceptable especially given that the front façade is articulated. The front façade will provide greater surveillance and interaction with the street than currently exists.

Issue/Design Element:	Roof Forms
Requirement:	Residential Design Elements Policy No. 7.2.1 The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged.
Applicant's Proposal:	Flat roof.
Performance Criteria:	BDPC 3 (i) The roof of a building is to be designed so that: <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:	<i>Nil</i>
Officer technical comment:	The flat roof would make a positive contribution to the emerging multiple dwelling dominated streetscape. The roof pitch is essential for the contemporary design of the property and would assist in limiting any additional overshadowing to the adjoining properties.

Issue/Design Element:	Site Works
Requirement:	R-Codes Clause 6.3.6 All excavation or filling behind a line and within 1 metre of a lot boundary shall not be more than 0.5 metres above the natural ground level at the lot boundary.
Applicant's Proposal:	1.34 metres Maximum excavations at rear of the property.
Performance Criteria:	P6.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill. P6.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the boundary of the site and the adjoining properties and as viewed from the street.
Applicant justification summary:	<i>The site will be excavated to provide vehicle access at ground level.</i>

Issue/Design Element:	Site Works
Officer technical comment:	The proposal includes significant excavation to the rear of the property in order to reduce the overall height and bulk of the building. As a result of this excavation the development is lower than it would otherwise be and therefore will sit more comfortably within its surrounds. The excavation subsequently reduces the impact of the additional building height proposed.

Car Parking	
Small Multiple Dwelling based on size (less than 75 square metres) – 5 dwellings (0.75 Bays per dwelling) – 4 car bays	
Medium Multiple Dwelling based on size (75 – 110 square metres) – 5 dwellings (1 car bay per dwelling) – 5 car bays	
Visitors = 0.25 per dwelling (10 dwellings) = 2.5 car bays (3 car bays)	
Total bays required = 12 car bays	12 car bays
Total car bays provided	11 car bays
Shortfall	1 Visitor Car Bay

Whilst there is an overall shortfall of one (1) visitor car bay, it is considered the above allocation is appropriate given the developments proximity to public transport.

It is important to note, the City would not issue residential parking permits to residential developments of this scale in this area so that on-street parking will remain available to all residents of Cowle Street.

Issue/Design Element:	Bicycle Parking
Requirement:	R-Codes Clause 6.3.3 Adequate car and bicycle parking provided on-site in accordance with projected need related to: <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's Proposal:	1 bicycle rack
Performance Criteria:	C3.2 One bicycle space to each three dwellings for residents; and one bicycle space to each ten dwellings for visitors designed in accordance with AS2890.3 (as amended).
Applicant justification summary:	<i>Refer to the applicants Development Context Report contained in Attachment 003.</i>
Officer technical comment:	This shortfall is minimal and would be addressed via a condition on the planning approval where approval is recommended.

Variations which are Not Acceptable

Issue/Design Element:	Lot Boundary Setback
Requirement:	<p>R-Codes Clause 6.1.4</p> <p>Ground floor: East – 1.5 metres (stores) South – 1.5 metres (stores) West – 1 metre (stores)</p> <p>First floor: East – 1.6 metres/2.5 metres South – 1.5 metres West – 2.5 metres</p>
	<p>Second floor: East – 1.4 metres/4.1 metres South – 1.6 metres West – 4.1 metres</p> <p>Third floor: East – 5 metres South – 3 metres West – 5 metres</p> <p>Buildings on boundaries: -one side permitted -maximum height = 3.5 metres -average height = 3 metres</p>
Applicant's Proposal:	<p>Ground floor: East – Building on Boundary (store) (proposed variation of 1.5 metre) South – Building on Boundary (store) (proposed variation of 1.5 metres) West – Building on Boundary (store) (proposed variation of 1 metres)</p> <p>First floor: East – 1.5m – 3m (proposed variation of 0.1 metres) South – 3m (proposed variation nil) West – 3m (proposed variation nil)</p> <p>Second floor: East – 1.2m/3m (proposed variation of 1.9 metres/proposed variation of 0.8 metres) South – 3m (proposed variation nil) West – 3m (proposed variation of 1.1 metres)</p> <p>Third floor: East – 3m (proposed variation nil/proposed variation of 2 metres) South – 3m (proposed variation nil) West – 3m (proposed variation of 2 metres)</p> <p>Buildings on boundaries: -three sides (east, south and west) -maximum and average height = 2.9 metres</p>
Performance Criteria:	<p>P4.1 Buildings set back 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;

Issue/Design Element:	Lot Boundary Setback
	<ul style="list-style-type: none"> • moderate the visual impact of building bulk on a neighbouring property; • ensure access to daylight and direct sun for adjoining properties; and • assist with the protection of privacy between adjoining properties.
Applicant justification summary:	<p><i>In accordance with Table 5 of the R Codes, the development requires a 3m setback from the lot boundaries. The development complies with the 3m setback, with the exception of...minor projections such as stairwells, window awnings which have cantilevered to maximise the northern light and cantilevered roof slabs which provide for landscaping.</i></p>
Officer technical comment:	<p>Building on Boundary: Under the R-codes a boundary wall is only permitted along one boundary subject to certain length and height restrictions. This development proposed boundary walls on both side boundaries and for the full length of the rear boundary, and therefore represents a significant variation in this regard that will impact on adjoining neighbours.</p> <p>This variation is in combination with the major variations proposed to the adjoining boundaries at the upper floor levels, particularly in relation to the second and third floors.</p> <p>The applicant has attempted to articulate the side elevations in various ways, which has had the effect of adding to the bulk and scale of the development and resulting in loss of amenity to the adjoining properties.</p> <p>While there are no limits to permitted overshadowing in an R80 density coding, the reduced setbacks in combination with the additional height results in significant overshadowing to the surrounding properties.</p>

Issue/Design Element:	Number of Storeys
Requirement:	<p>Exercise of Discretion Policy No. 7.5.11 Prescribed Height Limit = 2 storeys</p> <p>Additional height can be achieved if the proposal is awarded design excellence from the City's Design Advisory Committee.</p>
Applicant's Proposal:	4 Storeys
Performance Criteria:	<p>EC1.1 The variation will not be detrimental to the amenity of the locality, nor will it result in development that would adversely affect the significance of any heritage place or area; and</p> <p>EC 1.2 The Site is zoned Residential R60 and above, Residential/Commercial, District Centre, Local Centre or Commercial.</p> <p>EC1.3 The proposed development incorporates exemplary design excellence and has the positive recommendation of the City's Design Advisory Committee.</p>

Issue/Design Element:	Number of Storeys
	<p>Additional Requirements The development must meet one (1) or more of the following additional requirements:</p>
	<p>AR1.1 The natural ground level of the site is sloping downwards from the primary street and the proposed development has the appearance of a two storey development from the street; or AR1.2 The proposed development conserves, enhances or adaptive re-uses and existing building worthy of retention, including, but not limited to any place on the City's Municipal Heritage List; or AR1.3 The proposed development incorporates exemplary design excellence and has the positive recommendation of the City's Design Advisory Committee; or AR1.4 The proposed development incorporates sustainable design features which would qualify the development to receive a rating which significantly exceeds that required under the statutory minimum as assessed by an Organisation recognised by Council.</p>
<p>Applicant justification summary:</p>	<p><i>The additional storey in the proposed development will not be detrimental to the amenity of the locality as the surrounding lots are zoned R80. The additional storey has been addressed by actively disaggregating the built form and providing staggered setbacks from the lot boundaries which establishes a perceptual break between the development and the surrounding residential development. The height transition is also mediated by the fact the development is being built in accordance with the natural topography of the site.</i></p>
<p>Officer technical comment:</p>	<p>Although a number of multiple dwellings with heights in excess of two (2) storeys have been recently approved on Cowle Street where the bulk and scale did not compromise the streetscape, this proposal for four (4) storeys is considered to be of a significantly larger scale than the surrounding developments. As a result this proposal will be out of character with the existing properties directly surrounding the development when viewed from the street and to the adjoining properties.</p> <p>As the proposal was not awarded design excellence from the City's Design Advisory Committee the additional two (2) storeys requested cannot be supported.</p>

Issue/Design Element:	Landscaping
<p>Requirement:</p>	<p>Multiple Dwellings Policy No. 7.4.8 Clause 4.2 A minimum of 30 percent of the total site area is to be provided as landscaping (186 square metres). A minimum of 10 percent of the total site area shall be provided as soft landscaping within the common property area of the development (62.2 square metres). A minimum of 5 percent of the total site area shall be provided as soft landscaping within the private outdoor living areas of the dwellings (31.1 square metres).</p>

Issue/Design Element:	Landscaping
Applicant's Proposal:	<p>Landscaping – 24.3% or 151 square metres – Landscaping of Total Area (proposed variation of 5.7% or 35 square metres)</p> <p>5% or 31 square metres – Landscaping (Soft) of the Common Property Area (proposed variation of 5% or 31.2 square metres)</p> <p>0% or Nil – Landscaping in Outdoor living areas (proposed variation of 5% or 31.1 square metres)</p>
Performance Criteria:	<p>P2 The space around the building is designed to allow for planting. Landscaping of the site is to be undertaken with appropriate planting, paving and other landscaping that:</p> <ul style="list-style-type: none"> • meets the projected needs of the residents; • enhances security and safety for residents; and • contributes to the streetscape. • Assists in contributing to the amenity of the locality. • Assists in providing a landscaped setting for the building. • Assists in the protection of mature trees. • Maintains a sense of open space between buildings. Assists in increasing tree and vegetation coverage.
Applicant justification summary:	<p><i>Special design consideration has been undertaken to achieve landscaping provisions, such as the roof top gardens and the additional landscaping provided within the balcony areas. This has improved the overall amenity on the site for both the residents and the streetscape.</i></p>
Officer technical comment:	<p>The provision of landscaping is a requirement of the City's Multiple Dwelling Policy No. 7. 4.8. Although the applicant has dispersed the landscaping across the upper floors in a means of visually breaking up the built form there is an overall shortfall in landscaping and little to no landscaping is provided on the ground floor. The lack of landscaping will result in an undue impact on the area.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Comment Period:	16 September 2014 to 8 October 2014		
Comments Received:	Four (4) objections and one (1) letter of support were received.		

Summary of Comments Received:	Officer Technical Comment:
<p><u>Issue: Height:</u></p> <p><i>"The usual building height in this street is either 1 or 2 storeys only. These plans show a very obtrusive building spoiling the homely feeling of our street".</i></p> <p><i>"Totally out of character of existing dwellings".</i></p> <p><i>"Inconsistent with the 4 storeys shown above. Building will present as a monstrous block incongruent with anything in the street".</i></p> <p><i>"The bulk of this building is not consistent with, or desirable in our street. It will cast huge shadows".</i></p>	<p>Four (4) storeys in height exceeds the expected current and future building height for this area by two (2) storeys.</p> <p>The existing predominant streetscape is single and double storey properties, although some developments with heights in excess of 2 storeys have recently been supported on this street.</p> <p>The ability to achieve additional height is hinged on design outcomes that does not compromise the amenity of the neighbours and provide quality living spaces for future occupants.</p>
<p><u>Issue: Setback:</u></p> <p><i>"Properties in our street are not built to every available border. These boundaries will give a very aggressive appearance to this building in our street".</i></p> <p><i>"Too close to the pavement. Too imposing. No room for vegetation. Will present as a block of shoe boxes jammed together".</i></p> <p><i>"Exceeds all reasonable development criteria and should be rejected outright".</i></p>	<p>The block style design and limited articulation of the lot boundary setbacks results in increased building bulk to the street. The significant variations to the lot boundary setbacks are expected to have an undue impact on the desired streetscape and surrounding amenity.</p> <p>Due to the changing streetscape appearance, the proposed front setback is supported.</p>
<p><u>Issue: Roof forms:</u></p> <p><i>"Flat roof out of character with other houses in the vicinity".</i></p>	<p>Cowle Street is in transition with a number of new contemporary designed properties with flat roofs forming part of the streetscape. The proposed flat roof is therefore considered to be acceptable in this context.</p>
<p><u>Issue: Landscaping:</u></p> <p><i>"The 5% landscaping will not be sufficient for the sense of open space that the council and the community require.</i></p> <p><i>"5% if actually achieved, will barely provide for rubbish bins. If the 5% includes walkways, then there will be no room for bins, plants or anything else".</i></p>	<p>Due to the provision of car parking across the ground floor of the development, the ability to provide landscaping across the site to meet the requirements of the City's Multiple Dwellings Policy is limited. In an attempt to provide landscaping, the applicant has proposed landscaped roof terraces. The concern with the roof terraces is that they are only available to be enjoyed by the residents whilst the neighbours are surrounded by building bulk.</p>
<p><u>Issue: Bins:</u></p> <p><i>"Verges have 2 bins/household to accommodate every 2nd Wednesday i.e. this building will have 20 bins out on the verge".</i></p>	<p>A waste management plan is a standard requirement for development proposals of this scale where approval is recommended.</p>

Summary of Comments Received:	Officer Technical Comment:
<p><u>Issue: Parking:</u></p> <p><i>“Providing space for 7 residents out of 10 is not adequate in this street. Most homes in Cowle Street rely on street parking and to put this development in with insufficient parking will really exacerbate the problem”.</i></p> <p><i>“Parking in the street is already at a premium. Adding a further 10 – 30 cars that cannot fit in front of the units will seriously impact everyone in the street, many of them rely on street parking”.</i></p> <p><i>“There is currently no high rise parking facility for the overflow of visitors and residents to this medium/high density area. Street parks fill up rapidly, and people end up parking in no parking areas, or worse, almost blocking our driveway”.</i></p>	<p>The applicant has provided car bays for 9 out of the 10 units. In addition 2 visitor car bays have been provided on site. Although the applicant proposes 1 less visitor bay than required this variation is acceptable due to the close proximity of the site to public transport.</p> <p>The City will not issue parking permits in this area and a condition would be imposed requiring a Section 70A Notification being placed on title advising prospective purchasers in that regard, where approval is recommended.</p>
<p><u>Issue: Excavation:</u></p> <p><i>“Excavation exceeding guidelines will seriously impact neighbours, particularly with building so close to the boundary”.</i></p>	<p>Excavation is permitted on sites under the R-Codes 2013. There is no set limit on the amount of excavation permitted.</p> <p>The proposed excavation will reduce the overall height of the building at the rear and is supported as a means of reducing the impacts on adjoining properties.</p>
<p><u>Issue: Other:</u></p> <p><i>“High density housing in a street not designed or suited to it, will devalue the lifestyle as well as property values”.</i></p>	<p>The site is zoned R80 which permits high density housing.</p>

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

Design Advisory Committee (DAC):

The proposal was presented to the City’s Design Advisory Committee on numerous occasions to obtain support for the additional height proposed.

The DAC at each meeting has consistently noted concerns with the height, bulk and scale of the development as well as the amenity for the future occupants of the development and overshadowing of the adjoining site. The revised plans were not presented to the DAC at the applicant’s request that the proposal be presented to Council for determination.

The minutes from the 5 November 2014 DAC Meeting and summary of previous DAC meetings are contained within Attachment 005 and attachment 006 respectively.

LEGAL/POLICY:

The following legislation and policies apply to the Proposed Demolition of Single Dwelling and Construction of Three (3) One-Bedroom and Seven (7) Two-Bedroom Multiple Dwellings and Associated Car Parking.

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes of Western Australia 2013;
- Residential Design Elements Policy No. 7.2.1;
- Development Guidelines for Multiple Dwelling Policy No. 7.4.8;
- Hyde Park Precinct Policy No. 7.1.12; and
- Exercise of Discretion Policy No. 7.5.11.

RISK MANAGEMENT IMPLICATIONS:

The applicant may have the right to have Council decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 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 2013-2017 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 in the near future.	

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

Comments:

Health, Building and Technical Services:

Health, Building and Technical Services comments are provided in Attachment 007.

Planning Services

Cowle Street is currently experiencing a change from a single storey residential area to multiple dwellings developments with heights in excess of two (2) storeys. In these instances additional building height has been permitted where this additional development potential has not resulted in a built form that is excessively bulky.

The current proposal seeks variations to height, front setback, boundary setback, landscaping and car parking. The main concerns are in regards to the height, lot boundary setbacks and landscaping.

Despite various attempts the proposal has also not achieved support from the City's Design Advisory Committee and therefore is unable to access the additional building height which would permit the 4 storey building height limit.

Together the proposed variations result in a development with excessive bulk and scale which does not align with the current or future vision for the street.

Conclusion:

The proposed four (4) storey development is considered to result in a development which will have a detrimental impact on the adjoining properties due to excessive bulk and scale.

In light of the above, the proposal is not supported.

9.2 TECHNICAL SERVICES

9.2.1 Perth Central Transport Plan 2016-2025 – Further Report

Ward:	Both	Date:	5 December 2014
Precinct:	All	File Ref:	SC1973
Attachments:	001 – Perth Central Area Trans. Priority Map 002 – Existing PPMA Plan from the WA Government Gazette 003 – Information Sheet		
Tabled Items:	Nil		
Reporting Officers:	C Wilson, Manager Asset and Design Services R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **ADVISES** the Department of Transport that while it **ENDORSES** the objectives and aspirations of the 'draft' Perth Central Transport Plan 2016-2025 the following matters need to be incorporated into the 'draft' Plan:
 - 1.1 the inclusion of a commitment to significant improvements to the Perth Bicycle Network;
 - 1.2 the plan incorporating better school bus connecting services, particularly for Mt Lawley Senior High School commencing within the central zone as opposed to Churchlands connections via Glendalough station as indicated in the report;
 - 1.3 the plan incorporating bus services to support increased densities envisioned by Directions 2031 and delivered within the City's Town Planning Scheme No. 2 by including east/west services such as extending the Subiaco shuttle from Subiaco to Leederville and along Vincent Street to Mt Lawley;
 - 1.4 the inclusion of a 'Train Station Improvement Program' to significantly improve passenger experience; and
 - 1.5 a much greater level of detail to proposed changes to the 'Perth Parking Management Area' to be incorporated in the plan including potential public transport and cycling improvements;
2. **FURTHER** advises the Department of Transport that:
 - 2.1 consideration being given to Leederville and Glendalough stations no longer being bypassed by "express" patterns on the Butler Rail train Line;
 - 2.2 it commits to holding a stakeholder workshop to examine and prioritise Train Station Improvements as indicated in clause 1.4;
 - 2.3 the City is disappointed that the 'MAX light rail' has been postponed in favour of the Perth Airport rail link; and
 - 2.4 once the matters raised in 1 above have been incorporated in the plan it agrees to engage with the wider Vincent Community when the 'draft' Perth Central Transport Plan 2016-2025 is released for public comment; and
3. **RECEIVES** further reports as the Perth Central Transport Plan 2016-2025 develops.

PURPOSE OF REPORT:

To seek Council's preliminary comments on the Department of Transport's (DoT's) proposed Perth Central Transport Plan 2016-2025 for which the DoT is currently seeking input from Local Governments and the various state agencies that fall within the area of influence.

BACKGROUND:

A report on the matter was presented to the Ordinary Meeting of Council held on 2 December where the matter was deferred for further consideration.

Perth Central Business District (CBD) Transport plan 2012:

The \$105m plan, to be staged over four (4) years (2012-2016), aims to ensure that the Perth CBD has a sustainable and integrated transport system to accommodate and complement major CBD developments such as the Perth City Link, Riverside and Elizabeth Quay projects. Works completed under the plan to date included adding lanes to the Graham Farmer Freeway and the introduction of the Green Cat service between Leederville Station and the Esplanade Bus Port (www.transport.wa.gov.au/projects/cbd-transport-plan-to-2016.asp).

Councillor Forum of 14 October 2014:

The DOT presentation focused on the Perth Central Area Transport Plan 2016-2025 with the aim of developing a longer term strategy for all modes of transport and to link the transport strategy to land use plans. Further, the scope of the transport strategy is to be expanded beyond the CBD to include the activity centres and trip generators around the fringe off the 'traditional' CBD to include areas such as UWA/QEII Medical Centre, Subiaco, Leederville, Mt Lawley, South Perth, Victoria Park and the Burswood Peninsula.

The DoT envisages that the final plan will result in a ten (10) year (2016-25) vision and strategy document and a four (4) year (2016-2019) priority action plan.

DETAILS:

September 2014:

The DoT wrote to the City advising that it *"is currently co-ordinating the preparation of a transport strategy for the central area of metropolitan Perth to 2025, and beyond. This plan is being developed with our Transport Portfolio partners, the Public Transport Authority and Main Roads WA, as well as the City of Perth and the Metropolitan Redevelopment Authority and wider input and consultation from key stakeholders."*

The letter also indicated that:

"The project team proposes to have an initial draft of the Plan completed in the first quarter of 2015, with formal consultation to follow, subject to approval of Government. I would hope, however, that we would have captured and discussed significant issues from your organisation prior to formal consultation.

In the meantime, I would like to provide the opportunity for your organisation to have initial formal input into the plan. The project team would be happy to accept any written comments you wish to provide up until the end of November 2014, which will enable them to be considered in the development of the draft Plan. The project team will continue liaising with your team to develop a plan that integrates the needs of your organisation with the needs of the transport network for the inner city."*

*since extended to December 2014.

The DoT was subsequently invited to make a presentation to the Council Forum of 14 October 2014. The purpose of the presentation was to allow the Councillors an opportunity to gain an overview of the Perth Central Transport Plan 2016-2025 and to provide comment to the respective DoT Officers in attendance.

In its presentation, the DoT identified a possible expansion of the Perth Parking Management Area (*PPMA) to include a significant portion of the City of Vincent up to Vincent Street and encapsulating the Leederville and Mt Lawley Town Centre's. The ramifications being that all commercial and public parking spaces within the expanded zone would be subject to an annual levy as currently imposed within the existing PPMA.

*the current PPMA boundary follows Newcastle, Lindsay, Parry, Lord and Summers Street. (refer Attachment 002 - Existing PPMA Plan from the WA Government Gazette).

The DoT also acknowledged that as the 'level of public transport service' diminished with increasing distance from the core CBD, an incremental or sliding scale PPMA fee system could be introduced.

At the Council Forum, Elected Members identified that the 'area of influence' could also be expanded to include Oxford and Fitzgerald Streets, both of which are currently undergoing a period of significant redevelopment. The DoT highlighted that if the City of Perth's boundary is expanded through the Local government Reform Program to take in the entire City of Vincent, then the 'area of influence' could also be expanded to match (refer Attachment 001 - Perth Central Area TransPriority Map).

Elected Members also raised concerns about the lack of an east/west public transport link across the City of Vincent. The DoT acknowledged this as a relevant issued that would need to be addressed in the strategy document.

Officer Comment:

The Western Australian Newspaper of 20 November 2014 (page 3) featured an article titled 'Call for third Transport System' in which the WA Government Architect, Professor Geoff Warn, was quoted as saying that a developing Perth required '... a series of light rail, trams and buses that moved diagonally across the city'.

In respect of the 'Free Transit Zone' (FTZ) other than a small section of Newcastle Street and Lord Street, it does not extend into, or offer, benefits to the City commensurate with the annual PPMA fee the City already paid to the DoT.

The DoT indicated that they will do some work (modelling) on a possible Blue CAT extension to Leederville and the benefits and costs of extending the FTZ to include the Leederville Town Centre. However no mention was made of including Leederville Station in the FTZ. Another suggestion was to increase the frequency of the No. 15 Transperth bus service which services the Glendalough, Mt Hawthorn and Leederville areas.

Further Information:

A number of Council members considered that while the plan should be endorsed the following additional proposals/initiatives need to be incorporated in the 'draft' plan:

- a commitment to significant improvements to the Perth Bicycle Network.
- incorporating better school bus connecting services particularly for Mt Lawley Senior High School commencing within the central zone as opposed to Churchlands connections via Glendalough station.

Officer Comments:

A School's Public Transport Forum was held on 25 June 2014 at the City of Vincent Administration in response to concern from local parents about the paucity of public transport to local schools.

At the Forum, Transperth committed to a singular daily school transport bus to transport students from the central zone to Mount Lawley Senior High School (one morning and one afternoon service). Transperth will review the service once the school year commences.

In addition, that there would be an increase in bus services from Glendalough Train station to Churchlands Senior High school. Transperth have advised that they are currently finalising timetables and that they will be available in late January/early February 2015, prior to the start of the school term.

- incorporating bus services to support increased densities envisioned by Directions 2031 and delivered within the City's Town Planning Scheme No 2 by including east/west services such as extending the Subiaco shuttle from Subiaco to Leederville and along Vincent St to Mt Lawley. There are potentially a number of other creative east-west bus solutions including extending the Scarborough Beach Road services via Green/Walcott and also via Angove/Fitz/Vincent on their way into the CBD.
- including a 'Train Station Improvement Program' to significantly improve passenger experience. For example Leederville station footbridge could be given weather protection and stair access to Oxford St. The Banks Precinct group has requested an East Perth station footbridge to cross East Parade. It is common practice amongst transport agencies around the world to do such assessments across their networks and it is considered that Leederville, Glendalough, East Perth and Claisebrook would benefit from a commitment to undergo such a prioritisation process.
- much greater level of detail to proposed changes to the 'Perth Parking Management including potential public transport and cycling improvements.
- consideration being given to Leederville and Glendalough stations no longer being bypassed by "express" patterns on Butler Rail line;

Further it is considered that the Department of Transport commits to holding a stakeholder workshop to examine and prioritise Train Station Improvements and it be advised that the City is disappointed that the 'MAX light rail' has been postponed in favour of the Perth Airport rail link.

The above matters have been included in the officer recommendation.

CONSULTATION/ADVERTISING:

The DoT be requested to consult and engage with wider Vincent community upon the release 'draft' Perth Central Transport Plan 2016-2025 when released for public comment in 2015.

LEGAL/POLICY:

Not applicable.

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

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

SUSTAINABILITY IMPLICATIONS:

The Perth Central Transport Plan 2016-2025 potentially has significant ramifications upon the future sustainability of the City of Vincent and it is imperative that the State Government's planning processes achieved an equitable and sustainable outcome for the wider community.

FINANCIAL/BUDGET IMPLICATIONS:

Nil at this time.

COMMENTS:

As indicated in the body of the report the DoT are seeking Council thoughts and comments on what the City's priority's and aspirations are in respect of the future of public and private transport within the City of Vincent to best manage the impact of rapidly developing and evolving greater City of Perth. Further in light of the Council having endorsed the City's new Town Planning Scheme No. 2 (TPS2) at its special meeting of 18 November 2014 that the 'Draft' reflects the framework of TPS.

9.2.2 Charles Veryard Reserve - Clubrooms and Pavilion Upgrade – Consideration of Submissions

Ward:	North	Date:	5 December 2014
Precinct:	Smith's Lake (6)	File Ref:	SC531
Attachments:	001 – Summary of Submissions 002 – Proposed Plans		
Tabled Items:	Nil		
Reporting Officers:	J van den Bok, Manager Parks and Property Services K Bilyk, Property Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the submissions received in relation to the clubrooms and pavilion upgrade at Charles Veryard Reserve North Perth, as outlined in Attachment 001;
2. **AUTHORISES** the Chief Executive Officer to advertise a tender in January 2015 to upgrade the Clubrooms and Pavilion at Charles Veryard Reserve in accordance with the project architect's plans/specifications included as Attachment 002;
3. **ADVISES** all respondents, including the Modernians Hockey Club, Tuart Hill Cricket Club and Cardinals Junior Football Club of Council's decision; and
4. **RECEIVES** a further report at the conclusion of the tender assessment process.

PURPOSE OF REPORT:

To provide Council with the results of the recent community consultation in relation to the proposed clubroom and pavillion upgrade at Charles Veryard Reserve, North Perth.

BACKGROUND:

At the Ordinary Meeting of Council held on 25 March 2014 (Item 9.2.6) a report was presented in relation to the possible use of Charles Veryard Reserve by the Cardinals Junior Football Club where Councils' decision (in part) was as follows:

"That the Council;

2. *AUTHORISES the A/Chief Executive Officer to re-negotiate the current lease of the Charles Veryard Reserve pavilion to include the Cardinals Junior Football Club to the satisfaction of all parties;*
4. *LISTS for consideration amounts of \$320,000 and \$60,000 respectively in the 2014/2015 Draft Budget for the provision of additional change rooms and including a storeroom, scoreboard, refurbishment of the existing building and the additional funding required to complete the sports lighting upgrade at Charles Veryard Reserve."*

At its meeting held on 4 November 2014 (Item 9.2.1), Council approved in principle the proposed upgrade plans for Charles Veryard Reserve and for consultation with the local community to be undertaken.

DETAILS:

Lease:

A report in regard to the new lease between the Modernians Hockey Club, Tuart Hill Cricket Club and the Cardinals Junior Football Club was considered by Council at its Ordinary Meeting held on 21 October 2014 (Item No. 9.3.5), where the matter was deferred.

Building Upgrade:

The proposed building works are to consist of the following as outlined in the report presented to Council at its Ordinary Meeting held on 4 November 2014 (Item 9.2.1).

Pavilion Works

The proposed pavilion upgrade works will consist of a partial demolition where required, refurbishment and upgrade of the existing changerooms, function room, bar and kitchen.

A small addition is proposed to the north-west corner the building to provide an additional change room area, however the majority of the major structural upgrade, other than the verandah extension to the north, will be to the east of the existing building away from nearby residential properties.

Four (4) changerooms are required and these have been redesigned and increased in area to provide adequate space for a football team(s).

The internal refurbishment will include new toilet cisterns, showers, toilets pans, painting, flooring, new kitchen appliances and hardware. Additional internal storerooms will be provided as required by all three (3) clubs and as mentioned above, the verandah extended to the north to provide a better protected viewing area.

Concerns were previously raised about the location of the public toilets around the back of the existing building and in an effort to improve safety and reduce any ongoing disturbance to neighbouring residents it is proposed to relocate the public toilets to the front of the building.

The outside of the building is to be rendered/painted and all works will be completed to provide universal access in accordance with the relevant Australian Standards and Building Code of Australia (BCA) requirements.

Scoreboard

An electronic scoreboard is proposed to be installed/attached to the front of the building.

The exact dimensions of the scoreboard have not been finalised and at this time and is still being investigated, however it is envisaged that the size of the scoreboard will not exceed 2.0 metres long by 1.0 metres in height.

Curators Shed

The existing Tuart Hill Cricket Club's curators shed is no longer suitable due to lack of space and the storage requirements of fertiliser's, fuels and chemicals. Rather than expend funds on providing an upgraded brick structure it is considered more cost effective to provide a separate colourbond industrial shed with a double rollerdoor located adjacent to the existing practice wicket area as shown on the attached site plan (as per Attachment 001). The proposed shed will have room for the wicket roller, various storage material requirements and wicket covers.

The Cardinals Junior Football Club also require a larger storage area for their footballs, goalposts, other items and the proposed shed will also serve their requirements. They intend to purchase a small buggy and trailer for club members to cart their equipment from the proposed shed to the western side of the reserve."

Community Consultation:

Charles Veryard – Upgrade of Clubrooms and Pavilion

On 10 November 2014, 250 consultation packs were distributed around Charles Veryard Reserve with four (4) responses received at the close of consultation. [Three (3) late submissions were also received]. All submissions received have been included the summary. The results of the consultation are summarised below and the comments received are outlined in Attachment 001.

In Favour:	5
Against:	2
Neither Support nor Object:	0
TOTAL	7

Officer Comment:

Whilst there has been a very poor response, the majority of respondents are in favour of this proposal. A major concern is not so much the additions to the building, but existing and any additional functions that adjacent residents see currently as a problem due to excessive noise, drunken behaviour etc. This is in fact an ongoing issue that has been brought to the City's attention and one that will be addressed with formulation of the new lease agreement between the Modernians Hockey Club, Cardinals Junior Football Club and Tuart Hill Cricket Club.

The proposed curators shed cannot be located adjacent to the building without removal of a tree, its proposed position is preferred which is away from the direct view of residents and landscaping can be added to soften any visual impact.

CONSULTATION/ADVERTISING:

The local community around Charles Veryard Reserve were consulted in regard to this proposal.

LEGAL/POLICY:

As the value of the work will be over \$100,000 a tender for the works will be advertised and submissions assessed in accordance with the Local Government Act Tender Regulations.

RISK MANAGEMENT IMPLICATIONS:

Low: The proposed project whilst significant is relatively minor in complexity and therefore the risks are considered minimal. The upgrade works to the existing building will ensure that compliance with current building codes and standards is achieved, therefore reducing the risk of further accident or injury to patrons.

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:

The City's Sustainable Environment Strategy 2011-2016, Objective 9 states:

"Reduce the use of Toxic and hazardous materials within the City and facilitate the proper disposal of such materials."

Consideration will be made throughout the design process to ensure all sustainability options are considered within the design of the upgraded facilities.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$320,000 has been included in the City's 2014/2015 Capital Budget to undertake this project. The project architect has provided a pre-budget estimate of \$375,000 for the works which has allowed for:-

- Building upgrade/refurbishment;
- Scoreboard; and
- Curators shed.

A quantity surveyor is currently providing a more accurate estimate of the works, however at the time of writing this report the information was still not available.

The schedule of rates included in the tender will be divided up to allow some components of this project to be completed at a later date if additional funding is required.

COMMENTS:

It is therefore recommended that Council approve the works/plans and that tenders be called in January 2015 to progress the project. This will be addressed in detail when a report is presented to Council in 2015 to consider tender submissions for this work. At that time and if tendered costs exceed the budget allocation measures will be identified to change, reduce or split the scope of works to fall within budget, or alternatively to change the amount of funding allocated to this project.

9.2.3 Vincent Greening Plan – Progress Report No. 5

Ward:	Both	Date:	5 December 2014
Precinct:	All	File Ref:	SC1293, SC646
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	J Parker, 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. **RECEIVES** the progress report in relation to:
 - 1.1 the Vincent Greening Plan; and
 - 1.2 the Adopt a Verge Program;
2. **NOTES** that there is an amount of over expenditure in the program of \$9,378 which will be addressed in the mid-year budget review;
3. **LISTS** for consideration an amount of \$30,000 in either the mid-year budget review or in the 2015/2016 draft budget to undertake the additional 'Adopt a Verge' round approved by Council at its Ordinary Meeting held on 10 June 2014; and
4. **RECEIVES** a further progress report in March 2015.

PURPOSE OF REPORT:

The purpose of this report is to provide Council with an update on the implementation of the Vincent Greening Plan and to consider listing additional funds for consideration in the budget to continue the Adopt a Verge program.

BACKGROUND:

Ordinary Meeting of Council 25 March 2014 (Item 9.2.3):

Council approved the draft Vincent Greening Plan and consultation to be undertaken by the City's Officers. Council also requested that the timing and budget be prepared for the implementation and delivery of the Vincent Greening Plan.

Ordinary Meeting of Council 10 June 2014 (Item 9.2.4):

Council deferred a further report in relation to the Vincent Greening Plan, requesting that specific technical information regarding a detailed five (5) year rollout of the Greening Plan be presented and that comments received in response to community consultation be accurately reflected.

Ordinary Meeting of Council 8 July 2014 (Item 9.2.1):

The Vincent Greening Plan and five (5) year action plan was formally adopted. It was determined that the Vincent Greening Plan was to undergo design changes to improve and incorporate the maps into the main body of the plan. It was also determined that a progress report was required every two (2) months outlining the works undertaken during this period.

Ordinary Meeting of Council 9 September 2014 (Information Bulletin):

A progress report (information bulletin) was presented to Council outlining the works undertaken within each objective of the Greening Plan between the period of July and September 2014.

DETAILS:

Set out objective by objective, the following progress has been made:

Objective 1. Increase Canopy Cover:

Significant progress has been made within this objective yet again this period with a total of one hundred and thirty eight (138) trees planted and 320m² of garden beds installed. The locations where additional trees have been planted include Vincent Street, Anzac Road, Bulwer Street, Brady Street, Scarborough Beach Road, William Street and various residential verges.

Objective 2. Enhancing Habitat and Promoting Biodiversity:

Nothing further to report under this objective during this period.

Objective 3. Greening, Enlarging and Enhancing Public Open Spaces (POS):

Preparation is underway for the next Eco-zoning project which will be undertaken at Britannia Road Reserve in 2015. This project will ultimately see an area of 42,140m² planted with low water use native plants, saving an approximate 21,070kL of groundwater per year and \$33,712 in management costs per year.

Objective 4. Greening the Town Centres:

The following progress has been made over the past few months in the relevant Town Centres:

- Perth

Four (4) planter boxes have been installed on the corner of Beaufort Street and Brisbane Street.

- Leederville

Five (5) planter boxes and two (2) additional trees have been installed on the corner of Oxford Street and Anzac Road, with a further five (5) trees to be planted in April 2015.

Objective 5. Greening New Development:

Nothing further to report under this objective during this period.

Objective 6. Greening the Community:

- Adopt a Verge Program

The Adopt a Verge program has seen unprecedented success. A summary of the program to date is as follows:

Round	Timing	Outcome
Round 1	April 2014	36 verges completed
Round 2	August 2014	38 verges completed
Round 3	October 2014 (additional round)	39 verges completed
Round 4	April 2015 (yet to occur)	28 applications approved

At its Ordinary Meeting held on 10 June 2014 (Item 9.2.3), Council approved an additional third round of the Adopt a Verge Program to occur in October 2014 to clear the back log of approved applications. At this time no additional funds were approved to facilitate this additional round of works.

CONSULTATION/ADVERTISING:

The Vincent Greening Plan has been advertised and showcased widely, this included:

- the City's website;
- information Boards used at events;
- newspaper advertisements;
- newspaper articles;
- magazine publications (such as WALGA); and
- within the City's Administration and Civic Centre and Library.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The Vincent Greening Plan presents a low risk to the City in terms of implementation and action. Without the implementation of the Vincent Greening Plan a risk for future generations in relation to poor sustainable development and environmental leadership may be sustained.

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:

With the creation of the Vincent Greening Plan, the City is upholding the very principles of sustainability. The Vincent Greening Plan document will guide the City in its future endeavours to build upon and enhance the environmental value of the City and adhere to the sustainability principles as outlined in the City's Sustainable Environment Strategy 2011-2016.

The Vincent Greening Plan will assist the City in its capacity to support and maintain the sophisticated integration of economic, social and environmental dimensions.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$300,000 was listed on the 2014/2015 budget for the Vincent Greening Plan.

Budgeted amount 2014/2015:	\$300,000
Funds expended to date:	<u>\$303,547</u>
Funds remaining:	-\$ 3,547

An amount of \$54,000 was listed on the 2014/2015 budget for the Adopt a Verge program.

Budgeted amount 2014/2015:	\$54,000
Funds expended to date:	<u>\$59,831</u>
Funds remaining:	-\$ 5,831

Note: the over expenditure of \$9,378 will need to be addressed in the midyear budget review. Council in June 2014 approved an additional third round. This would require additional expenditure of \$30,000. Council can either allocate additional funds in the midyear budget review or list funds for consideration in the 2015/2016 draft budget.

COMMENTS:

In order to remain within budget and deliver on the April 2015 round of the Adopt a Verge program as approved by Council, the Council will need to consider an additional allocation of funding however this may or may not be possible depending on the overall budget situation.

The five (5) year action plan is progressing well and is on schedule. Further actions are planned and will be executed before the next reporting period (February 2015).

9.2.4 Traffic Related Matters Considered by the City's Integrated Transport Advisory Group (ITAG) December 2014 – Eton Street, Joel Terrace, Charles Street Crossing, Loftus Street Crossing, Posted Speed Review Bulwer Street, Bourke Street traffic calming

Ward:	Both	Date:	5 December 2014
Precinct:	North Perth (8), Banks (15), Smiths Lake (6), Leederville (3)	File Ref:	(SC1199)
Attachments:	001 – Bourke Street (Plan No. 2648-CP-01 & 02) 002 – Eton Street (Plan No. 3086-CP-01 & 02) 003 – Joel Terrace (Plan No. 3129-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:

- 1.1 the outcome of Traffic Related matters referred to the ITAG meeting on 4 December 2014; and
- 1.2 that the Director Technical Services has written to Main Roads WA regarding Wig Wag lights as per 2.4 and 2.5 below;

2. ENDORSES the following actions:

- 2.1 Placing on-hold the implementation of additional traffic calming in Eton Street and continuing to monitor traffic in the street;
- 2.2 considers listing \$25,000 in the 2015/2016 draft budget for additional traffic calming, subject to the Banks Precinct Group formally advising of its position on additional traffic calming measures in the area;
- 2.3 considers listing \$15,000 in the 2015/2016 draft budget for safety railing at the Charles Street children's crossing (near Selkirk Street) and up to an additional amount of \$20,000 for Wig Wag flashing lights should Main Roads WA not fund the Wig Wag lights in 2015/2016;
- 2.4 considers listing \$15,000 in the 2015/2016 draft budget for safety railing at the Loftus Street children's crossing (near Franklin Street) and up to an additional amount of \$20,000 for Wig Wag flashing lights should Main Roads WA not fund the Wig Wag lights in 2015/2016;
- 2.5 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;
- 2.6 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

3. RECEIVES a further progress report/s as the above matters progress.

PURPOSE OF REPORT:

To update Council of the outcome of matters considered by the Integrated Transport Advisory Group (ITAG) meeting of 4 December 2014.

BACKGROUND:

A number of matters were considered by ITAG at its meeting held on 4 December 2014 including traffic matters, Bike Network update, parking matters and a RoadWise update. This report deals with the traffic related matters discussed by the group.

DETAILS:

Eton Street – Request for Additional Traffic Calming: (Plan No.s 3086-CP-01 and 3086-CP-02 Attachment 002)

On 22 October 2013 126 letters were distributed to residents in Eton Street regarding implementing additional traffic calming between Gill and Haynes Streets and at the close of consultation five (5) respondents were in favour of the proposal and seven (7) were against.

The seven (7) against indicated that they did not consider there was a problem, that speed humps would be noisy and that the problem was minor and humps would be an inconvenience to local residents and unnecessary. Others indicated that other measures should be looked at.

The matter was reported to Council on 3 December 2013 where the installation of speed humps on Eton Street, North Perth between Gill and Haynes Streets was not approved due to the limited response received during the community consultation and the split vote from those in favour and those against the proposal.

ITAG Discussion/recommendations:

Eton Street is classified as an access road in accordance with the Metropolitan Functional Road Hierarchy (MFRH). In accordance with the HFRH the street is classified to carry up to 3,000 vehicles per day (vpd). The current traffic volumes range between 570 and 839 vpd and therefore the group considered that this is predominantly local traffic and not a rat running issue.

While the 85% speed is above 55kph on one section of the street i.e. on the steep gradient between Gill and Hobart Street, the group considered that due to the low traffic volumes, and the low and mixed response received in the recent consultation that no action be considered at this stage (the street has a posted speed of 50 kph).

Note: There are no funds allocated to traffic calming for Eton Street in the 2014/2015 budget.

Joel Terrace Traffic Calming (Plan No. 3129-CP-01)

In early 2014 residents of Joel Terrace were consulted regarding implementing additional traffic calming in the street and at the close of consultation eleven (11) respondents were in favour of the proposal and seven (7) were against.

The officers were to report to Council when a letter was received from the Banks Precinct Action Group requesting that the matter be deferred pending further consideration from the group as there were many differing views of whether the additional traffic calming was warranted.

ITAG Discussion/recommendations:

Joel Terrace is classified as an access road in accordance with the Metropolitan Functional Road Hierarchy (MFRH). In accordance with the HFRH the street is classified to carry up to 3,000 vehicles per day (vpd). This street previously formed a bus route and suitable traffic calming was implemented a number of years ago. Since the bus service was withdrawn there have been requests for additional traffic calming from some in the street. The current traffic volumes range between 1,958 vpd and 2,456 vpd (within acceptable limits).

The 85% speed ranges between 51.1 kph and 55.4 kph and the group considered that the matter be held in abeyance until the Precinct group has indicated their position on the matter (the street has a posted speed of 50 kph).

Note: There are no funds allocated to traffic calming for Joel terrace in the 2014/2015 budget.

Charles Street Crossing Improvements – Kyilla Primary School

A request was recently received from the Kyilla Primary School for a number of improvements to the children's crossing on Charles Street in the vicinity of the school including, 40kph on Charles Street, Wig Wag flashing lights and safety fencing.

- Main Roads WA (MRWA) Policy is that 40kph zones are only implemented on street directly adjacent to a school. As Kyilla is NOT adjacent to Charles Street neither 40kph signs nor 40kph 'flashing' signs will be implemented in this location.
- MRWA may consider 'Wig Wag' flashing warning lights as they have done on Charles Street near Albert Street (estimated cost \$20,000).
- Safety fencing can be included in the 2015/2016 draft budget (estimated cost \$15,000).



Wig Wag – Flashing lights – Charles St at Albert St



Existing crossing on Charles St at Selkirk Street

ITAG Discussion/recommendations:

Charles Street is a Primary Distributor under the care control and management of MRWA. Recently MRWA installed Wig Wag flashing lights on Charles Street at Albert Street at the request of the North Perth Primary School and the City. A letter was sent to MRWA on 31 October 2014 requesting they consider installing Wig Wags in Charles Street at Selkirk Street (Kyilla Primary School). Funding for safety railing will be included in the 2015/2016 draft budget.

Loftus Street School Crossing Improvements:

Requests have been received regarding improvements to this crossing to increase driver awareness and provide visual cues to stop:

- Installation of Wig Wag flashing Lights
- Improved signage
- Crossing wardens x 2

As mentioned above MRWA may consider 'Wig Wag' flashing warning lights as they have done on Charles Street near Albert Street (estimated cost \$20,000). Loftus Street is a District Distributor under the City's care, control and management and therefore the City may need to fund the flashing signs. MRWA will be requested to investigate improvements in signage.

Safety fencing can be included in the 2015/2016 draft budget (estimated cost \$15,000).



Existing crossing on Loftus Street at Franklin Street

ITAG Discussion/recommendations:

Loftus Street unlike Charles Street is a District Distributor under the care, control and management of the City. While MRWA recently installed Wig Wag flashing lights on Charles Street near Albert Street they may require a contribution from the City if this was to occur in Loftus Street. This is estimated to cost \$20,000. Funding for safety railing will be included in the 2015/2016 draft budget.

Posted Speed Review – Bulwer Street (Vincent to Palmerston):

With the implementation of the Vincent on-road Bicycle Network it is considered that the posted speed in the above section of Bulwer Street should be reduced from 60kph to 50kph (or less).

MRWA recently approved 50kph in Oxford Street (part of the Vincent on-road Bicycle Network), in principle approval for Fitzgerald Street (speed cushions) 40kph, Beaufort Street variable speed zone (40kph).

ITAG Discussion/recommendations:

Bulwer Street is a District Distributor under the care, control and management of the City. MRWA would require evidence that the speed environment of the street has changed as a result of the works recently undertaken. Current traffic data has been obtained and once the bike lanes markings etc have been completed, further traffic data will be obtained. In addition several speed cushions will be installed at the Palmerston Street end on Bulwer Street.

Bourke Street – Request for Additional Traffic Calming (Loftus to Oxford):

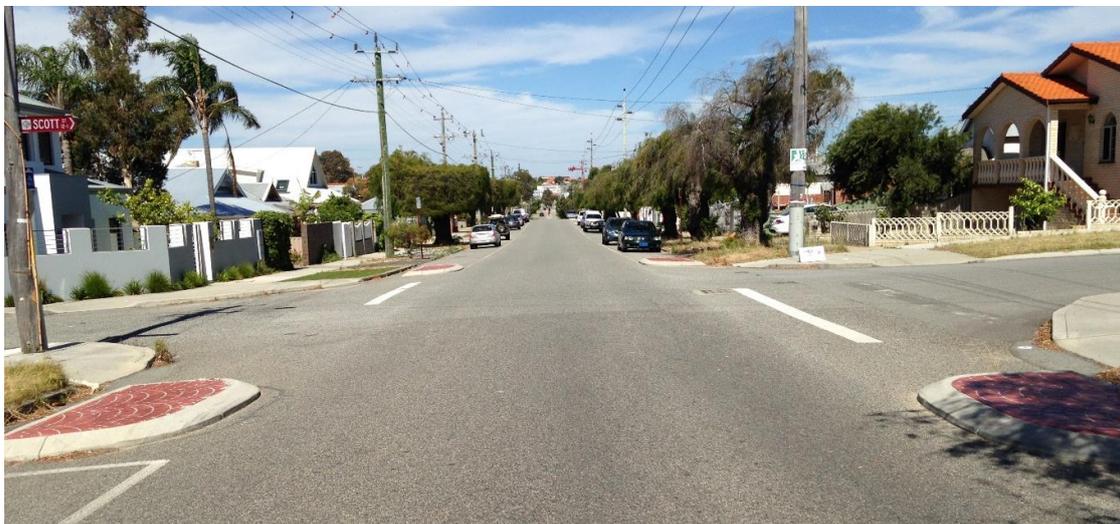
In late 2010, seventy (70) letters were distributed to residents of Bourke Street between Loftus and Oxford Streets regarding the implementation of traffic calming in the street. Two (2) options were presented to residents. Option 1 with speed humps (Plan No. 2648-CP-01) and Option 2 without speed humps (Plan No. 2648-CP-02). At the close of consultation, fifteen (15) responses were received:

- 9 x were in favour of the proposal,
- 4 x were against while
- 2 x residents suggested alternative treatments.

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

The Council considered the matter in December 2010 and Option 2 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 attached Plan No. 2648-CP-01 if there was no significant change.



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

ITAG Discussion/recommendations:

Bourke Street is a Local Distributor under the care, control and management of the City. Residents are concerned that vehicles are still travelling dangerously along the street given the number of children in the area. It was recommended that the street be asked whether they have changed their position on the installation of speed humps.

CONSULTATION/ADVERTISING:

Consultation will be undertaken in the New Year, 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:

There are no specific funds allocated for any of the proposals discussed in this report.

- Eton Street – on hold
- Joel Terrace – Possible inclusion of funds in 2015/2016 (\$25,000)
- Charles Street Crossing – Inclusion of funds in 2015/2016 for safety fencing (\$15,000). Possible inclusion of funds in 2015/2016 for Wig Wags if MRWA do not implement (\$20,000).
- Loftus Street Crossing – Inclusion of funds in 2015/2016 for safety fencing (\$15,000) and Wig Wags if MRWA do not implement (\$20,000).
- Bourke Street –Possible inclusion of funds for speed humps (\$25,000)

COMMENTS:

As has been recently highlighted in the press traffic speed, volumes, driver inattention and rat running is becoming an increasing concern amongst some residents, exacerbated by ever increasing vehicles numbers. The proposals discussed in the report are an attempt to help address some of these issues.

9.2.5 Medibank Stadium – Provision of Turf Maintenance Services – Tender No. 495/14

Ward:	South	Date:	5 December 2014
Precinct:	Oxford Centre (4)	File Ref:	SC2011
Attachments:	Confidential Attachment 9.2.5 (Tender Evaluation)		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the tender submitted by Turfmaster Facility Management as being the most acceptable to the City for the Provision of Turf Maintenance Services of Medibank Stadium for a period of three (3) years in accordance with the specifications as detailed in Tender No. 495/14 and as outlined in the Confidential Attachment 9.2.5.

PURPOSE OF REPORT:

To obtain Council's approval to award the tender for the Provision of Turf Maintenance of Medibank Stadium for a three (3) year period.

BACKGROUND:

Tender No. 495/14 Provision of Turf Maintenance Services for Medibank Stadium was advertised in the *West Australian newspaper* on Wednesday 29 October 2014 and on the City's website.

At the close of the tender at 2.00pm on Wednesday 12 November 2014, four (4) tenders were received. Present at the opening were Contracts Finance Officers, Mary Hopper and Olla Dedic, and Parks Technical Officer, Kim Godfrey.

DETAILS:

The tenders received were from the following companies:

- Turfmaster Facility Management
- Turf care
- Skyline
- Programmed

The tenders were assessed by a Tender Evaluation Panel comprising of Manager Parks and Property Services, Jeremy van den Bok, A/Director Corporate Services, Bee Choo Tan, Parks Technical Officer, Kim Godfrey, Mark Winnett from East Perth Football Club and Luke Sanders from Subiaco Football Club. Each tender was assessed using the above evaluation criteria in accordance with the tender documentation.

CRITERIA	WEIGHTING
Financial Offer	50%
Relevant experience and expertise in venue turf maintenance	30%
Demonstrated Capacity to Deliver Services	10%
History and Viability of Company	10%
	100%

Discussion:

Turfmaster Facility Management have held this contract since 2001 and provided a satisfactory service in maintaining the oval over this period based on the specifications and works required under the current contract. They have provided the lowest costing and staff and tender assessors are confident they can provide the more intensive oval maintenance services now required to an acceptable standard.

The table outlined in **Confidential Attachment 9.2.5** indicates the prices submitted, summary and overall scoring. The evaluation of the criteria supports the submission by Turfmaster as being the best value. Their tender provides Council with an acceptable level of service and economic value.

CONSULTATION/ADVERTISING:

Tender No. 495/14 Provision of Turf Maintenance Services for Medibank Stadium Tender was advertised for a total of fourteen (14) days.

LEGAL/POLICY:

The tender was advertised and assessed in accordance with the Local Government Act Tender Regulations and the City's Policy 1.2.2 and Purchasing Policy No. 1.2.3.

RISK MANAGEMENT IMPLICATIONS:

Low: The intensified maintenance and turf renovation program will ensure the ground surface is maintained at a higher level reducing the risk of any injury occurring.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2011-2023 Objective 1:*

"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:

All activities undertaken as part of this contract where practicable are in keeping with the City's Sustainable Environment Strategy 2011-2016.

FINANCIAL/BUDGET IMPLICATIONS:

A total budget of \$119,200 has been allocated for ground maintenance at Medibank Stadium for the 2014/15 financial year which will cover the increase in costs associated with the intensified maintenance program and annual turf renovation costs required to maintain the oval surface at the required standard.

Under the current agreement clubs pay one third each of the total maintenance cost which will amount to around \$30,000 - \$37,000 per annum, dependant on the amount of debris (scarifying's) removed as part of the annual turf renovation program.

COMMENTS:

It is therefore recommended that the tender submitted by Turfmaster Facility Management is accepted as being the most acceptable to the City for the Provision of Turf Maintenance Services for Medibank Stadium, in accordance with the specifications as detailed in Tender No. 495/14 and as outlined in the Confidential Appendix 9.2.5.

9.2.6 Giro d'Perth 2015 Sponsorship

Ward:	Both	Date:	4 December 2014
Precinct:	All	File Ref:	SC1977
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	F Sauzier, Travel Smart Officer R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

- APPROVES the sponsorship of the 2015 Giro d'Perth to the value of \$2,000 in cash sponsorship and \$250 in-kind sponsorship, subject to the City of Vincent being recognised as a sponsor in any advertising/promotional material; and**
- AUTHORISES the Chief Executive Officer to finalise sponsorship arrangements.**

PURPOSE OF REPORT:

The purpose of this report is to seek Council's approval for the City to financially support the 2015 Giro d'Perth.

BACKGROUND:

The Giro d'Perth event has been developed by local Vincent resident Toby Hodgson, and had its first iteration as the lead event for the 2013 Bike Week program in March of that year. The event was billed as a recreational cycling event, suitable for all ages and bikes, held in the City of Vincent and Perth. It has quickly become a staple event within the BIKE WEEK program in Perth, garnering significant coverage in both media and social networking fields. The City of Vincent also includes the event in its program of Bike Week events, enabling cross marketing to occur.

The event is structured around three (3) possible routes for people to cycle, with participants given a map and a variety of clues to solve – involving discovering local landmarks, parks, and curios. The event attracted a few 'performance cyclists', but overwhelmingly, the event was attended by many 'recreational/leisure cyclists' who took advantage of the 'mapped routes' to explore the quieter streets and bike paths within the City. The event attracted a significant number of female riders (47% of total participants) who traditionally are seen as the 'more vulnerable' road users.

The 'treasure hunt' format of the competition created an opportunity for many to discover aspects of culture and heritage particular to Vincent and also encouraged many to visit local coffee shops.

Over the two (2) year life of the event, the organiser has developed a large database of followers as well as a broad range of marketing materials. This has underpinned the event as a relaxed and colourful event, with many participants getting dressed in vibrant costumes, riding penny farthing bikes or unicycles and bringing the whole family along.

Building on the success of the 2013 event, the 2014 event was expanded to also include routes through the City of Subiaco, but still with a large focus on the City of Vincent.

In addition, as part of the Vincent TravelSmart Community Programs initiative, each year the City has hosted a bike maintenance stall at the event, creating an opportunity for the City to survey attendees, promote the Bike Network Plan and distribute City of Vincent TravelSmart maps.

DETAILS:

The 2015 Giro d'Perth is now billed as the opening event of the 2015 Bike Week calendar on Sunday 15 March.

For 2015, the organiser has selected Banks Reserve in East Perth as the starting point, with the end point being Dorrien Gardens, in West Perth. At this stage, the full route is unconfirmed, but it is expected to meander through parts of the City of Stirling and City of Perth, with a major part of its route being in the City of Vincent.

The organiser has developed a well-coordinated variety of marketing materials including brochures, coasters, screen advertising and a website, with a substantial increase in participants expected in 2015.

As the event relies on sponsorship and registration fees to cover its substantial costs, the organiser is seeking support to help defray these costs.

CONSULTATION/ADVERTISING:

The event relies heavily on social networking and marketing to promote itself. The organisers would again make use of partner databases and on-screen advertising. The City would promote the event as part of its Bike Week 2015 program, on all electronic media and printed brochures.

LEGAL/POLICY:

The City is responsible to ensure that events on roads are undertaken in accordance with the relevant Australian Standards and Main Roads WA Code of Practice for Events on Roads.

The initiative aligns with the City's *Physical Activity Strategic Plan 2009 – 2013*.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2011-2023 Objective 1:*

"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.

(d) Promote alternative methods of transport."

In accordance with the City's *Strategic Plan 2011-2023 Objective 3:*

"3.1 Enhance and promote Community Development and Wellbeing.

3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity.

3.1.5 Promote and provide a range of community events to bring people together and to foster a community way of life".

In accordance with the City's *Sustainable Environment Strategy 2011-2016 Objective 1:*

"Contribute to a cleaner local and regional air environment by promoting alternative modes of transport than car use to residents and employees within the City"

SUSTAINABILITY IMPLICATIONS:

The City of Vincent's involvement with the Giro d'Perth promotes cycling education and the benefits of exercise, healthy choices and alternative transport.

RISK MANAGEMENT IMPLICATIONS:

Low: As long as due process is followed the risk to the participants should be low.

FINANCIAL/BUDGET IMPLICATIONS:

As Community Development Seeding Grants are to a maximum of \$1,000 and applicants cannot apply for additional grants through the City, \$2,000 sponsorship is being recommended through the Miscellaneous TravelSmart Community Programs Operating Budget. In addition, the organizer has requested that the City support the event with waiving the hire fee of the Banks Reserve area, to the value of \$250.

Budget Amount \$63,000
Spend to date \$39,500
Balance \$23,500

COMMENTS:

The Giro d'Perth has contributed a very popular and well organised event to the Bike Week calendar. It promotes the City as a liveable community with renowned scenery, cultural heritage and cycling infrastructure

It is recommended that Council approves the funding of the Giro d'Perth to the cash value of \$2,000 as well as in-kind support of the waiving of the Banks Reserve hire fee of \$250, as outlined in the report.

9.3 CORPORATE SERVICES

Nil.

9.4 COMMUNITY SERVICES

9.4.1 Trading in Public Places Local Law – Consideration of Submissions Received and Final Adoption

Ward:	Both	Date:	5 December 2014
Precinct:	All	File Ref:	LEG0026
Attachments:	001 – Draft Trading in Public Places Local Law 002 – Late Submission received D. Maier		
Tabled Items:	Nil		
Reporting Officer:	A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council:

- NOTES** that pursuant to Section 3.16 of the Local Government Act 1995 the City has advertised its Local Law and that one (1) late submission was received at the close of the statutory six (6) week public consultation period; and
- Pursuant to section 3.12 of the Local Government Act 1995, **APPROVES BY AN ABSOLUTE MAJORITY** to make the City of Vincent Trading in Public Places Local Law as shown in Attachment 001, subject to the amendments shown therein.

PURPOSE OF REPORT:

The purpose of this report is to consider the submission received and the subsequent further proposed amendments to the City of Vincent Trading in Public Places Local Law, and to consider adopting the amended Local Law.

BACKGROUND:

At the Ordinary Meeting of Council held on 27 May 2014, Council approved an amendment to the City's Trading in Public Places Local Law 2008 (Local Law) to allow for a 'Permit Free Entertainer Zone'.

This zone would allow street performers to perform at prescribed locations, as indicated by a disc, without the need for a permit.

DETAILS:

Attracting and nurturing street life is a key component to ensuring Vincent's Town Centres continue to grow as destinations. Enhancing the destination and experiential values of Vincent's Town Centres is paramount to ensuring continued economic growth in the face of growing competition from Shopping Centres and online retail.

Street performances are a key component to street life and vibrancy. A vibrant street life is often unique to Town Centres and can be integral to place identity and branding.

The City of Vincent does not have a culture of impromptu street performance. Comparatively, the Fremantle and Perth City Centres have a strong and evolving street performing tradition. The Perth Cultural Centre has flourished in part due to a carefully crafted schedule of events and street performances.

The draft amended Local Law includes provisions for a new 'Permit Free Entertainer Zone' where performers are able to perform without the requirement of a permit from the City. This Permit Free Entertainer Zone will be restricted to the Beaufort Street, Leederville, Mount Hawthorn and North Perth Town Centres.

Provisions relating to the Street Entertainer Zone are contained in Clause 2.10 of the amended Local Law. Removing the need for permits removes a significant barrier for performers and will be integral to the emergence of a street performance culture in Vincent's Town Centres.

The proposed amendments to the Local Law also provide a range of provisions allowing Rangers and Authorised Officers to effectively police street performers operating in the Street Entertainment Zones. These provisions are outlined in clause 2.15 of the Amended Local Law as shown in Attachment 001. Furthermore, a Risk Management and Code of Practice for Street Performers document has been prepared to provide further guidance to performers, Rangers and Authorised Officers, outlining what is acceptable and unacceptable practice. The "*Risk Management and Code of Practice for Street Performers*" document is given power under new provisions in the Local Law, contained in clauses 2.10 and 2.15.

A Public Liability Insurance Certificate will be requested of a performer by Rangers or Authorised Officers should the performer/s be deemed to represent a danger to the public by the City's Rangers or an Authorised Officer. The performer/s will be required to have Public Liability Insurance under the requirements outlined in Table A of the Risk Management Guidelines and Code of Practice for Street Performers.

In order to ensure street performers set up and perform in appropriate locations within the Permit Free Entertainment Zone, a small disc will be installed into the pavement with the words 'Play Here' transcribed. Performers will only be able to play at these prescribed locations which will be chosen by the City's Officers using the following criteria:

- The location has enough space for a performer to set up without compromising pedestrian accessibility;
- The location has enough space for a performer to set up without compromising a currently approved alfresco area; and
- The location is a highly pedestrianised area and would be seen as suitable location by a street performer.

Performers will be required to register their contact details with the City through an on-line database on the City's website, or through direct contact with a City Officer. This registration is free of charge. This database ensures the City can contact the Street Performer should they need to.

CONSULTATION/ADVERTISING:

The process to amend a local law requires a period of not less than six (6) weeks, public consultation. In accordance with this requirement the proposed amended Local Law was advertised from 30 May 2014 to 11 July 2014. No submissions were received during that period, although one (1) late submission was received on Sunday 13 July 2014 from Mr. D. Maier, who was generally supportive of the intent but suggested further amendment and refinement of the Local Law. These refinements were considered by staff and have largely been included in an amended Draft Trading in Public Places Local Law and are outlined as follows:

- Amendment to the name of 'Street Entertainer Zone' to 'Permit Free Entertainer Zone' as they may entertain wherever they wish with a permit, however in the Permit Free Entertainer Zone they simply need to register;
 - Amendment of wording 'A City Ranger or Authorised Officer' to 'authorised person' as all City Rangers are authorised persons;
 - Refinement of the Obligations of permit holder or performers within the Permit Free Entertainer Zone to specify that those within the Permit Free Entertainer Zone must abide by the Risk Management Guidelines and Code of Practice for Street Performers;
 - The removal of the locations of the Permit Free Entertainer Zone's from the Local Law, they have now been included in the Risk Management Guidelines and Code of Practice for Street Performers; and
 - It was recommended for a lawyer to review the amendments to the Trading in Public Places Local Law, this was undertaken prior to submission back to Council.
-

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Medium: The introduction of a Permit Free Entertainer Zone shifts responsibility for Public Liability Insurance to the performer, and may result in a performer performing without Public Liability Insurance. Should a third party be injured or their property damaged through the negligence of the performer the third party will be required to make a claim against the performer. In the event that the performer does not have Public Liability Insurance and the third party makes a claim against the City, the City's insurer would vigorously defend any action.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2013 – 2017* states:

"Community Development and Wellbeing

3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity.*

3.1.3 *Promote health and wellbeing in the community.*

3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life."*

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications associated with this report.

FINANCIAL/BUDGET IMPLICATIONS:

In the 2013/14 financial year, the City received \$126 for four (4) busking permits.

In the 2014/15 financial year, the City has received \$26 for three (3) busking permits. Two (2) of these permits were for buskers at the Kyilla Community Farmers' Markets, of which fees were approved to be waived by Council at the Ordinary Meeting held on 3 December 2013.

Discs will be placed at locations identified as suitable for entertainers to play or perform, within the 'Permit Free Entertainer Zone'. These discs cost \$13.50 each. In order to ensure enough discs are dispersed in each Town Centre, a budget of \$1,080 is allocated to this initiative.

Expenditure for this matter will be incurred from the Place Management budget.

Budget Amount:	\$ 94,511
Spent to Date:	<u>\$ 32,039</u>
Balance:	\$ 62,472

COMMENTS:

One (1) late submission was received by the City. Accordingly it is recommended that the Council approve of the Officer Recommendation.

9.4.2 Major Artwork for Leederville Town Centre – Progress Report No. 2

Ward:	South	Date:	5 December 2014
Precinct:	Oxford Centre (4)	File Ref:	SC659
Attachments:	<p>001 – Selected Public Art for Leederville Town Centre 002 – CONFIDENTIAL: Phil and Dawn Gamblen Public Art submission for Leederville Town Centre (Council Members Only) 003 – CONFIDENTIAL: Tony Jones Team Public Art submission for Leederville Town Centre (Council Members Only) 004 – CONFIDENTIAL: Lorenna Grant Public Art submission for Leederville Town Centre (Council Members Only)</p>		
Tabled Items:	Nil		
Reporting Officer:	A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council:

1. **RECEIVES Progress Report No. 2 relating to the Leederville Town Centre Major Artwork;**
2. **APPROVES:**
 - 2.1 **The appointment of the Artist Team Phil and Dawn Gamblen, as the successful tender; and**
 - 2.2 **The commissioning of the Public Art Concept as shown in Attachment 001 and detailed in Confidential Attachment 002; and**
3. **REQUIRES any percentage for public art cash-in-lieu funds paid to the City to be directed towards funding the Leederville Town Centre Major Artwork and/or to reimburse the City after its completion if required; and**
4. **NOTES 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, Phil and Dawn Gamblen and the commissioning of their Public Art Concept, as shown in Attachment 001 and detailed in Confidential Attachment 002, for the Leederville Town Centre Major Artwork.

BACKGROUND:

At the Ordinary Meeting of Council held on 28 May 2013, the Council resolved to contract a Public Art Consultant for the project management of the Procurement of Major Artwork for Leederville Town Centre.

At the Ordinary Meeting of Council held on 27 August 2013, the Council resolved to contract Art Consultant Jenny Beahan for the project management and procurement of Public Art in the Leederville Town Centre.

At the Ordinary Meeting of Council held on 26 August 2014, the following was resolved:

“That Council:

1. *RECEIVES Progress Report No. 1 relating to the Leederville Town Centre Major Artwork; and*
2. *DEFERS consideration of the appointment of an artist team and the commissioning of a Public Art Concept for the Leederville Town Centre, pending Council’s future determination of budget variations relating to Item 9.5.1 on this Agenda (Budget Deficit).”*

DETAILS:

The City's Officers have been working with Jenny Beahan, Arts Consultant, to undertake the Leederville Town Centre Major Artwork project.

On Wednesday 21 May 2014, the Artist Brief for the Leederville Town Centre Major Artwork was advertised on the City's website, through the City's social media avenues and through the Artsource E Bulletin. The Artsource E Bulletin is the preferred site for advertising the majority of public art commissions in Western Australia, including those undertaken as part of the State Government's Percent for Art Scheme. Arts Consultant, Ms. Beahan, also distributed the Artist Brief to her extensive data base of professional artists.

The deadline for submissions by Artist Teams was Thursday, 12 June 2014, and thirteen (13) submissions were received from Artist Teams.

On Thursday, 19 June 2014, a panel consisting of Acting Director Community Services, Acting Manager Community Development, representative for Leederville Enhancement Working Group, De Williams, Curator at Lawrence Wilson Art Gallery (University of Western Australia), Dr Janice Lally and Arts Consultant, Ms. Jenny Beahan met to shortlist three (3) Artist Teams to develop their concepts and submissions in response to the Request For Tender.

In order to shortlist three (3) Artist Teams, the selection panel reviewed applications from each of the thirteen (13) Artist Teams and a total of 144 images of their previous work. Informed discussion was also completed, led by Arts Consultant Ms. Beahan. The shortlisting selection criterion was weighted as follows:

Criteria	Weighting
Quality of previous work	40%
Relevant experience	30%
Response to the brief	30%

The three (3) Artist Teams shortlisted for tender were:

- Phil and Dawn Gamblen;
- Loreнна Grant; and
- Tony Jones and Angela McHarrie.

On Tuesday 1 July 2014, a site visit at the intersection of Newcastle Street and Carr Place, Leederville, was held with the three (3) shortlisted Artist Teams. Acting Director Community Services, Acting Manager Community Development and Manager Asset and Design Services were in attendance to provide information and answer any queries raised by the Artist Teams.

The three (3) shortlisted Artist Teams were requested to submit their Public Art Submissions in response to the Request For Tender by Friday 1 August, 2014. All three (3) Artist Teams submitted their applications on time and in accordance with requirements. The three (3) submissions can be found at shown in Confidential Attachment 9.4.3 (001), 9.4.3 (002) and 9.4.3 (003).

On Thursday 7 August, 2014, the selection panel reconvened. The selection panel reviewed the submissions prior to the three (3) Artist Teams, separately, presenting their Art Concepts to the panel. Once all three (3) Artist Teams had presented their Art Concepts to the panel, the panel again reviewed the submissions and discussed each at length prior to scoring the Artist Teams. The selection criterion was weighted as follows:

Criteria	Weighting
Response to the brief	40%
Demonstrated ability to realise concept	30%
Value for money	30%

The Gamblen Design Concept

Philip and Dawn Gamblen proposed a series of boldly coloured whimsical sculptures in the form of 'upside down' lampshades. These would be inverted and thrust into the ground 'as if staking a claim for the town centre'. Their supporting pedestals 'reach skywards like brightly coloured markers'. These sculptural forms would be fabricated from rolled, cast and water- jet cut metal, illuminated from within, with energy efficient LED lights of various colours. Each individual lamp would glow and pulse with its own colours. A light-responsive sensor designed to detect the changing light levels on the street as dusk approaches, or weather patterns change dramatically, would activate the lights. The lighting would maximise the impact of the sculptures, enhancing their character and night- time ambience. (The programming of the lights would be subject to consultation and stakeholder perspectives to ensure that it provided a positive new element to the Leederville Town Centre operations and community life).

The cut out patterns encircling the light shades would, by day, cast reflections and at night time project light through these cut outs onto the pavement surfaces. Their curved contours and rounded edges were intended to provide balance to the geometric shapes. The detailing on the shades and the lamp stands would evoke the urban, retro chic atmosphere of the Leederville Town Centre. Humour and whimsy characterised this work with the Gamblens' proposing that these glowing and amusing artworks would have an iconic quality and become recognisable landmarks for Leederville. The artists also proposed a rug like pavement pattern which could be used by the City's landscapers/ urban designers in the foreshadowed street realignment. This would heighten the outdoor lounge- like, retro dimensions of these artworks. The Gamblem team would provide the pattern.

The artists presented a model and illuminated this to show the effect of the lighting and the (reflected) patterns which would be realised with this artwork. The sculptures are intended for a broad audience. Phil and Dawn Gamblen's concept, is shown in Attachment 001 and detailed in Confidential Attachment 002.

Tony Jones Art Team's Design Concept

Tony Jones and Angela McHarrie presented for the Tony Jones Art Team. Their proposal was for a single 'carnavalesque', figurative, bird-like, metal sculpture. The figure was intended to be lively, vibrant and fun. Both through its form and fanciful detailing, this artwork was intended to evoke the tradition of the figurative presence which recurs in street festivals, parades and carnivals. Photographs of Leederville festivals had helped inspire the form of the figure and its colour palette. It would have a mystical, humorous and quirky quality- a bird's head, elongated body and long legs with one wing and one arm. The figure would hold to its breast, the 'pulsing heart of Leederville'.

The artists also suggested that whilst the artwork would be open to interpretation it could also be seen to be inspired by the classical god, *Morpheus*. *Morpheus* as a god of dreams had the ability to take any form and appear in dreams, his true semblance being that of a winged creature. His wing held in anticipation of good times. The bird head also makes reference to *Loplop* surrealist artist, Max Ernst's, character, 'an enduring image that embodies the mystery of the carnival as a transformative experience'. The figure was designed to be iconic and to loom above any crowd, king or queen like and be seen from a distance.

This sculpture would be constructed from aluminium and steel with a colourful painted finish. It would be 'up-lit', with the heart possibly, also illuminated. The paint would be an industrial epoxy finish to ensure low maintenance. It would be around 8 metres tall. The artists were also open to a reduction in the size of the figure, to allow for the creation of a pair of figures. Jones and McHarrie tabled five painted wooden models (of the figure), each with its own individual characteristics and palette of colours, all versions of the carnival-like, iconic figure proposed. The colour palette to be used was flexible and open to discussion in design development. The sculpture would be a landmark and become adopted as part of the iconography of Leederville.

The Lorena Grant Design Concept

The Lorena Grant proposal was for an abstract contemporary metal sculpture entitled *Stella* and four seating elements, one illuminated as a 'play on' seat. This artwork drew on the mirrored star atop the Leederville Hotel for its symbolism and from this the artist plotted the likely trajectory of a three point falling star. Also symbolised in the geometric configuration of this sculpture, were the three intersecting streets of the location and 'three wishes on a falling star', representative of community desire, imagining and the aspirations of those arriving in the Leederville town centre for a night of entertainment, dining, coffee or shopping. Each linear, geometric form was cylindrical, slim, pointing skywards and triangular in configuration, emanating from the imaginary points of the 'fallen star'.

Grant proposed that one linear triangle and cylindrical form would arc from the roundabout across to Carr Place, the adjacent street, in effect creating a triangular arch and an interactive dimension to the sculpture. This would be Stella's highest point at 7.2 metres. It would give the sculpture an interactive quality. Other apexes of the triangles would be 6.4 metres and 5.0 metres high. The artwork would be coloured in a dynamic palette of graduating mauves and magenta pinks, referencing an evening sky in Leederville. The sculptures would be painted in two-pack automotive enamel, to ensure longevity and robustness. The triangular tips/apexes of the sculptural forms would be embellished with mirror-finish stainless steel, delicate criss-cross patterns based on the constellations far above Leederville's town centre, silhouettes of intersecting streets and tree twigs. This detailing will twinkle and reflect the colour of the sky, change from day to night as well as varying weather and cloud formations.

A second element seating inclusive of the 'play on' cylindrical seat would be created in metal and Tessimate, a super strong acrylic like material, with internal lighting. People would be able to look into this seat, which would have straw-like tubes of light within. The Tessimate would filter the light, giving it a fascinating glowing quality for the viewer. All the artworks would be up lit.

The artist presented a model of the sculpture, a lighting concept plan, material and product samples and a further example of the graduation of colour proposed for the exterior surfaces of the sculptures.

Upon review of the submissions, presentations by the Artist, discussion and subsequent scoring, Artist Team Phil and Dawn Gamblen were weighted the highest score and recommended to be the Artist Team and Art Concept to be commissioned for the Leederville Town Centre Major Artwork.

The panel agreed that the Gamblen design concept should be selected for the Leederville Town Centre Art Commission. The Panel scored as follows:

- Dawn & Philip Gamblen (377)
- Lorena Grant (355)
- Tony Jones Art Team (320)

The recommendation of the selection panel is for the commissioning of Artist Team Phil and Dawn Gamblen and their Public Art Concept, as detailed in the body of this report and as shown in Attachment 001 and detailed in Confidential Attachment 002, for the Leederville Town Centre Major Artwork.

CONSULTATION/ADVERTISING:

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 and the Arts Consultant's extensive database.

LEGAL/POLICY:

- Policy No. 1.2.3 – Purchasing;
- Policy No. 3.10.7 – Art; and
- WALGA Purchasing and Tender Guide.

RISK MANAGEMENT IMPLICATIONS:

Low: The commissioning of recommended Artist for the Leederville Town Centre Major Artwork has been considered and deemed to be low risk.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2013-2017* states:

"3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity."

SUSTAINABILITY IMPLICATIONS:

The selected Artist will be required to adhere to the sustainability principles and policies that are endorsed and in practice at the City.

FINANCIAL/BUDGET IMPLICATIONS:

The artwork for this project is budgeted at \$100,000. The Leederville Town Centre – Public Artwork budget item has \$69,220, with the remaining funds deferred to the 2015/16 Budget as part of the 2014/15 Budget Adjustments approved by Council at the Special Meeting held on 3 September 2014.

Any Percentage for Public Art Cash in Lieu funds that are secured will be directed to fund the Leederville Town Centre Major Artwork prior to completion or reimburse the City after its completion.

COMMENTS:

The major artwork for the Leederville Town Centre will enhance the area, providing a level of cultural interest and intrigue for the benefit of the community.

The Panel considered the Gamblen proposal and saw this as capturing more closely, not only the urban feel of Leederville Town Centre, but offering an imaginative, colourful artwork that had an intimacy and whimsical quality, which could engage an audience of all ages. It was seen as the most compatible with the character of the precinct for which it was being created. The illumination of the sculptural elements central to this work, was seen as giving the artwork a vibrancy and energy which would have a strong night presence but also be interesting in the day time. It was noted that the Gamblen team had significant experience in lighting of artworks and other technical considerations as well as aesthetic issues.

It was agreed that whilst this artwork lacked the scale of the other two artworks, it would achieve status and the potential to become a local icon, through the nature and appropriateness of its imagery to 'place', that being the Leederville Town Centre. It was agreed that the detailing of the forms, their surfaces and their placement would be crucial both to maximise their illumination and their character.

Artist Team Phil and Dawn Gamblen's submission was the most responsive to the Artist Brief and will provide ongoing enjoyment and aesthetic experiences for residents, businesses and visitors of Leederville Town Centre.

9.5 CHIEF EXECUTIVE OFFICER

**9.5.1 LATE ITEM: Audit Committee Minutes and Annual Financial Report
2013/2014**

REPORT TO BE ISSUED PRIOR TO THE MEETING.

9.5.2 Annual Report 2013/2014 – Adoption and Annual General Meeting of Electors 2014

REPORT TO BE ISSUED PRIOR TO THE MEETING.

**9.5.3 Proposed Cancellation of Council Briefing to be held on
13 January 2015**

REPORT TO BE ISSUED PRIOR TO THE MEETING.

9.5.4 Information Bulletin

Ward:	-	Date:	5 December 2014
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	-		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	Len Kosova Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 5 December 2014, as distributed with the Agenda.

DETAILS:

The items included in the Information Bulletin dated 5 December 2014 are as follows:

ITEM	DESCRIPTION
IB01	WALGA Central Metropolitan Zone Minutes Meeting held on 27 November 2014
IB02	Unconfirmed Minutes of the Loftus Centre Management Working Group held on 15 October 2014

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)

Nil.

15. CLOSURE
