



CITY OF VINCENT

# ORDINARY COUNCIL MEETING

21 October 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 21 October 2014** at 6.00pm.

Len Kosova  
CHIEF EXECUTIVE OFFICER

15 October 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**

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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**

[3.1](#) Letter to Ms D Saunders relating to questions taken on notice at the Ordinary Meeting of Council held on 7 October 2014.

4. **Applications for Leave of Absence**

Nil.

5. **The Receiving of Petitions, Deputations and Presentations**

5.1 Petition received from Mr and Mrs Swift of Tasman Street, Mount Hawthorn along with 120 regarding Traffic Volumes, Speeds and Road Courtesy in Tasman Street, Mount Hawthorn.

6. **Confirmation of Minutes**

6.1 Ordinary Meeting of Council held on 7 October 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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**INDEX**  
**(21 OCTOBER 2014)**

<b>ITEM</b>	<b>REPORT DESCRIPTION</b>	<b>PAGE</b>
<b>9.1 PLANNING SERVICES</b>		
9.1.1	FURTHER REPORT: No. 199 (Lot 176; D/P: 1791) Scarborough Beach Road, Corner of Kalgoorlie Street, Mount Hawthorn – Proposed Demolition of an existing Single House and construction of a Two-Storey Single House with Loft (PRO5277; 5.2013.290.1)	1
9.1.2	No. 315 (Lot: 43 D/P: 1554) Pier Street, Perth – Proposed Construction of Two (2) Three-Storey Grouped Dwellings (5.2014.390.1)	13
9.1.3	No. 91 (Lot: 3 D/P: 6257) Bourke Street, Leederville – Proposed Demolition of Existing Single House and Construction of Multiple Dwellings (PR18552; 5.2014.404)	19
9.1.4	Nos. 596-598 (Lot Y116; D/P 2360) Newcastle Street, corner Loftus Street, West Perth – Renewal of a Billboard Signs Approval (PRO0799; 5.2014.439.1)	33
9.1.5	Scheme Amendment No. 38 Final Approval – Extension of Eton Locality Sunset Clause (SC1316)	39
9.1.6	Proposed Amendments to State Planning Policy No. 3.1 – Residential Design Codes – Submission to the Western Australian Planning Commission (SC654)	43
9.1.7	LATE ITEM: Proposed Scheme Amendment – Multiple Dwelling Prohibition in R30 coded areas of Mount Hawthorn	46
<b>9.2 TECHNICAL SERVICES</b>		
9.2.1	Audit of the City's Usage of Parks and Reserves (SC1491)	47
9.2.2	Charles Veryard Reserve Sports Lighting Upgrade – Consideration of Submissions (SC531)	51
9.2.3	Traffic Related Matters Considered by the City's Integrated Transport Advisory Group (ITAG) August 2014 – Tasman, Federation and Egina Streets, Mount Hawthorn (S0228)	55
<b>9.3 CORPORATE SERVICES</b>		
9.3.1	Investment Report as at 30 September 2014 (SC1530)	62
9.3.2	Authorisation of Expenditure for the Period 1 – 30 September 2014 (SC347)	64
9.3.3	Mt Hawthorn Community Church – Licence for the use of a portion of the Mt Hawthorn Community Centre Lesser Hall (SC351/PR29213)	67
9.3.4	Lease for Loton Park Tennis Club – Lease of Premises Corner Bulwer and Lord Streets, Perth (SC351/SC623)	69
9.3.5	Lease for Tuart Hill Cricket Club Inc, Modernians Hockey Club Inc and Cardinals Junior Football Club – Lease of Premises at Charles Veryard Reserve Pavillion and Turf Wickets, Bourke Street, North Perth (SC351)	71

---

**9.4 COMMUNITY SERVICES**

- 9.4.1 Light Up Leederville Carnival Parking – Use of Britannia Road Reserve and Santa Fun Run (SC1527) 74
- 9.4.2 Major Artwork for North Perth Town Centre – Progress Report No. 2 (SC660) 79
- 9.4.3 100 Day Place Management Report – Progress Report No. 2 (SC1492) 85
- 9.4.4 Dog Exercise Area – Charles Veryard Reserve (SC531) **[Absolute Majority Decision Required]** 92
- 9.4.5 LATE ITEM: Documentation of Mural Arts Program (SC1450) 102

**9.5 CHIEF EXECUTIVE OFFICER**

- 9.5.1 Information Bulletin 103

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

- Nil. 104

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

- Nil. 104

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

- Nil. 104

**13. URGENT BUSINESS**

- Nil. 104

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

- Nil. 104

**15. CLOSURE**

- 104
-

## 9.1 PLANNING SERVICES

**9.1.1 FURTHER REPORT: No. 199 (Lot 176; D/P: 1791) Scarborough Beach Road, Corner of Kalgoorlie Street, Mount Hawthorn – Proposed Demolition of an existing Single House and construction of a Two-Storey Single House with Loft**

<b>Ward:</b>	North	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Mount Hawthorn; P1	<b>File Ref:</b>	PRO5277; 5.2013.290.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans <a href="#">003</a> – Applicant Justification Submission <a href="#">004</a> – Heritage Assessment <a href="#">005</a> – Previous Council Approval – Ordinary Meeting of Council – 12 July 2011 <a href="#">006</a> – Letter stating amendments to plans dated 4 September 2014		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

### FURTHER OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and Metropolitan Region Scheme, APPROVES the application submitted by A Petrovski on behalf of the owner L Del Borello, for the Proposed Demolition of an Existing Single House and Construction of a Two-Storey Single House with Loft at No. 199 (Lot: 176 D/P: 1791) Scarborough Beach Road, Mount Hawthorn as shown on amended plans date-stamped 5 September 2014, included as Attachment 002, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 201 Scarborough Beach Road, Mount Hawthorn in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

2. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Scarborough Beach Road, Kalgoorlie 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;

3. **Verge Trees**

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

4. **PRIOR TO THE ISSUE OF A BUILDING PERMIT, revised plans shall be submitted and approved demonstrating the following;**

4.1 **Visual Privacy Screening**

The balcony opening above the garage on the southern elevation shall be non-openable to a minimum height of 1.6 metres above the finished first floor level and the ground floor balcony at any point within the cone of vision less than 6.0 metres from a neighbouring boundary, shall

be screened to the requirements of the Residential Design Codes November 2013; OR prior to the issue of a Building Permit, revised plans shall be submitted demonstrating the balcony being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes.

All screens provided shall comply with the definition of the Residential Design Codes 2013; and

**4.2 Crossover**

The vehicle crossover is to be realigned to be positioned a minimum of 1metre from the base of the verge tree, with the internal driveway tapered to allow vehicles to enter the crossover and street perpendicular (90 degrees) to the kerb line;

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

**5.1 Redundant Crossover**

Prior to the first occupation of the development, redundant or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City’s Technical Services Directorate, at the applicant/owner’s full expense;

**6. Demolition**

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

**7. Storm Water**

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

**8. Pedestrian Access/Vehicle Driveway**

All pedestrian access and vehicle driveway/crossover levels shall match into the existing verge and footpath levels to the satisfaction of the City.

**ADVICE NOTES:**

1. **With regard to condition 1 above, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary wall;**
  2. **Any new street/front wall, fence and gate within the Scarborough Beach Road setback areas, including along the side boundaries within these street setback areas, shall comply with the City’s Policy provisions relating to Street Walls and Fences;**
  3. **A Road and Verge security bond for the sum of \$2000, 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. **A separate crossover application is to be submitted to, and approved by the City's Technical Services Section, prior to the building permit application; and**
5. **With regard to condition 7, no further consideration shall be given to the disposal of storm water 'off-site' without the submissions of a geotechnical report from a qualified consultant. Should approval to dispose storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.**

**PURPOSE OF REPORT:**

This proposal requires referral to Council given the number of objections (7) received during the community consultation process.

**BACKGROUND:**

The City conditionally approved the Demolition of an Existing Dwelling and Construction of a Two Storey Residential Dwelling with Loft at its Ordinary Meeting of Council on 12 July 2011. This approval lapsed. A subsequent Development Application was lodged on 11 July 2013. This proposal was based on the plans approved in 2011, but included the following further modifications:

- Addition of lift to loft;
- Amendments to street elevations due to inclusion of lift; and
- Amendment to roof design to accommodate lift.

This application was considered by Council on 22 April 2014, where it was resolved as follows:

"That the item be DEFERRED to deal with the impact of the lift on the roof form."

The Minutes of Item 9.1.2 from the Ordinary Meeting of Council held on 22 April 2014 relating to this report is available on the City's website at the following link: [http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes). To view the plans approved in 2011 refer to Attachment 005.

**FURTHER REPORT:**

The current proposal involves the demolition of the existing single house and construction of a two-storey single house with loft. The single house includes a bridge like structure that connects the main house to the rear garage and a lift. The subject property is on the north-west corner of Scarborough Beach Road and Kalgoorlie Street.

**ADDITIONAL INFORMATION**

Following the deferral of the proposal on the OMC 22 April 2014, the applicant has amended the plans stamp dated 5 September 2014 to produce the current proposal which incorporates the following:

- Reduced ensuite wall to provide a setback of 1500mm off Western Boundary;
- Reworked upper roof over stairwell/lift to reduce the impact from the Kalgoorlie Street elevation;
- Increased front setback at entry from 1200mm to 1400mm;
- Relocated air con units from ground floor up service area/outside; and
- Increased setback from Scarborough Beach Road from 1700mm to 1800mm.

**DETAILS:**

<b>Landowner:</b>	L Del Borello
<b>Applicant:</b>	A Petrovski
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R60

<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	541 square metres
<b>Right of Way:</b>	N/A

Under the City's Town Planning Scheme 2, the site is zoned for Residential/Commercial RC80 with a three (3) storey height limit. It is anticipated that the current proposal relates to the existing properties along this portion of Scarborough Beach Road far more sympathetically than what is likely to be permitted in the future under the new 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.

Design Element	Complies	Requires the Exercise of Discretion
Streetscape	✓	
Front Fence	✓	
Roof forms		✓
Street Setback		✓
Lot Boundary Setbacks		✓
Boundary Wall and Retaining Wall		✓
Building Height		✓
Building Storeys	✓	
Loft		✓
Open Space	✓	
Access & Parking	✓	
Privacy	✓	
Solar Access	✓	
Site Works	✓	
Essential Facilities	✓	
Surveillance	✓	

**Acceptable Variations**

Issue/Design Element:	Roof Forms
Requirement:	<b>Residential Design Elements Policy No. 7.2.1 BDADC 3</b> The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged.
Applicant's Proposal:	25-30 degrees
Design Principles:	<b>Residential Design Elements Policy No. 7.2.1 BDPC 3</b> The roof of a building is to be designed so that: <ul style="list-style-type: none"> <li>• It does not unduly increase the bulk of the building;</li> <li>• In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and</li> <li>• It does not cause undue overshadowing of adjacent properties and open space.</li> </ul>
Applicant's Justification:	<i>Refer comments in Attachment 003.</i>
Officer Technical Comment:	The proposed roof maintains the appearance of a standard pitched roof design and is not considered out of context along the Kalgoorlie Street or Scarborough Beach Road frontages. The design of the upper section of roof over the portico has been amended to include a

<b>Issue/Design Element:</b>	<b>Roof Forms</b>
	25 degree roof pitch. This amendment in combination with the incorporation of varying finishes and materials to the entry reduces the appearance of bulk on the streetscape.
<b>Issue/Design Element:</b>	<b>Street Setbacks</b>
Requirement:	<b>Residential Design Elements Policy No. 7.2.1 Clause SADC 5</b> <b>Front Setback – Scarborough Beach Road</b> Lower Floor - 4.5 metres Upper Floor- 5.5 metres (Balcony) - 6.5 metres (Walls)
Applicant's Proposal:	Lower Floor – 1.8 metres – 7.2 metres (proposed variation of 2.7 metres)  Balcony – projects forward of ground floor by 1.2 metres (proposed variation of 6.7 metres)  Upper Floor Walls – Nil additional setback (proposed variation of 2 metre)
Design Principles:	<b>Residential Design Elements Policy No. 7.2.1 SPC 5</b> (i) Development is to be appropriately located on site to: <ul style="list-style-type: none"> <li>• Maintain streetscape character;</li> <li>• Ensure the amenity of neighbouring properties is maintained;</li> <li>• Allow for the provision of landscaping and space for additional tree plantings to grow to maturity;</li> <li>• Facilitate solar access for the development site and adjoining properties;</li> <li>• Protect significant vegetation; and</li> <li>• Facilitate efficient use of the site.</li> </ul>
	(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:	<i>Nil</i>
Officer Technical Comment:	The proposal fronts two streets with Scarborough Beach Road considered the primary street frontage with Kalgoorlie being the secondary street frontage. The lots along this portion of Scarborough Beach Road between Kalgoorlie and Buxton Streets are truncated along the Scarborough Beach Road frontage. The proposed setbacks are considered appropriate and are consistent with the existing two adjoining properties to the west. The proposal for a reduced front setback is fitting for the site given that the development will front Scarborough Beach Road which is considered a major road. It is considered that the upper storey is well articulated and features windows and interest along the façade. Given the unusual nature of the street frontage, the required upper storey setback is appropriate.

<b>Issue/Design Element:</b>	<b>Street Setbacks</b>
	Front setback remains unchanged from the 2011 approval where a street setback variation of this nature was supported.

<b>Issue/Design Element:</b>	<b>Lot Boundary Setback and Boundary Walls/Retaining Walls</b>
Requirement:	<p><b>Residential Design Codes Clause 5.3.8 C8.1 and 5.1.3</b></p> <p><b>Retaining walls:</b> Retaining walls 0.5 metres on the boundary and greater in height are required to be set back from lot boundaries in accordance with the setback provisions of Table 1.</p> <p><b>Boundary walls:</b> In areas coded R30 and higher, walls not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only.</p> <p><b>Residential Codes Clause 5.1.3 Lower</b></p> <p>Portico (Eastern Side–Kalgoorlie Street Elevation) - 1.5 metres</p> <p><b>Upper</b> Western (Balance – Whole Length) 2.3 metres</p>
	<p>Eastern (Retreat) Minimum 1.5 metres plus 0.5 metres behind lower floor (2.2 metres)</p> <p>(Void) Minimum 1.5 metres plus 0.5 metres behind lower floor (3.3 metres)</p>
Applicant's Proposal:	<p><b>Retaining walls:</b> 0.6 metres maximum height (western boundary) with Nil Setback (proposed variation of 0.1 metre height); and 0.6 metres maximum height (southern boundary) with Nil Setback (proposed variation of 0.1 metre height).</p> <p><b>Boundary walls</b> Two Side Boundaries Western Boundary (Garage) and Southern Boundary (Garage) (proposed variation of two boundary walls)</p> <p>Average Building Height – 3.2 metres (proposed variation of 0.2 metres)</p> <p>Maximum Building Height- 3.6 metres (proposed variation of 0.1 metres)</p> <p><b>Side Setbacks</b> <b>Lower Floor</b> Portico (Eastern Side–Kalgoorlie Street Elevation)</p>

Issue/Design Element:	Lot Boundary Setback and Boundary Walls/Retaining Walls
	1.4 metres (proposed variation of 0.1 metres)
	<p><b>Upper Floor</b> Western - 1.5 metres to 2.57 metres (proposed variation of 0.8 metres)</p> <p>Eastern (Retreat) 1.7 metres (proposed variation of 0.5 metres)</p> <p>(Void) 2.8 metres (proposed variation of 0.5 metres)</p>
Design Principles:	<p><b>Residential Design Codes Clause 5.3.8 P8 and 5.1.3</b> Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1.</p> <p><b>Residential Codes Clause 5.1.3</b> Buildings set back from lot boundaries so as to:</p> <ul style="list-style-type: none"> <li>• Reduce impacts of building bulk on adjoining properties;</li> <li>• Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</li> <li>• Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.</li> </ul>
Applicant's Justification:	<i>Refer comments in Attachment 003.</i>
Officer technical comment:	<p>The proposed retaining walls on the western boundary of the property are a maximum of 0.6 metres in height for 1.5 metres of the overall length of the wall. It is considered that given the retaining wall is only marginally over the maximum height permitted, there will be no significant impact to the adjoining property.</p> <p>The proposed western boundary parapet wall (garage) proposes a minor height variation to the average height requirements of the Residential Design Codes. It is considered that the variation is minimal and will not be detrimental to the adjoining property in terms of overshadowing.</p> <p>The proposed southern parapet wall abuts the driveway area of the adjoining property to the south and therefore it is considered that the wall will not detrimentally affect the adjoining property.</p> <p>The proposed western upper storey contains a section of wall which has no major openings. The entire length of the western upper floor is also well articulated which limits bulk, whilst still allowing for adequate ventilation to the adjoining property.</p> <p>In terms of the upper eastern portion of wall along the secondary street frontage, the applicant has proposed a rounded type of upper storey construction, which reduces the impact of the upper storey on the street. Furthermore, above the entrance to the dwelling there is</p>

<b>Issue/Design Element:</b>	<b>Lot Boundary Setback and Boundary Walls/Retaining Walls</b>
	some degree of articulation which, is considered to appropriately address Kalgoorlie Street.

<b>Issue/Design Element:</b>	<b>Building Height</b>
Requirement:	<b>Residential Design Elements Policy No. 7.2.1 BDADC 5</b> Maximum Building Height – 9.0 metres to Ridge
Applicant's Proposal:	9.55 metres
Design Principles:	<b>Residential Design Elements Policy No. 7.2.1 BDPC 5</b> (i) Building height is to be considered to: <ul style="list-style-type: none"> <li>• Limit the height of dwellings so that no individual dwelling dominates the streetscape;</li> <li>• Limit the extent of overshadowing and visual intrusion on the private space of neighbouring properties; and</li> <li>• Maintain the character and integrity of the existing streetscape.</li> </ul>
Applicant's Justification:	<i>Nil</i>
Officer technical comment:	The maximum height proposed to the pitch, provides for a 0.55 metre variation. This variation is proposed for only approximately 10 per cent of the entire roof length. The variation is a result of the proposed lift for the dwelling which has been relocated on the amended plans further into the dwelling to ensure the variations to the height is limited. The main increase in building height is located at the Kalgoorlie Street frontage, with the remainder of the building near compliant to the 9.0 metre ridge height requirement.
	Whilst the majority of properties which front Scarborough Beach Road are setback behind solid fences and are single storey, the potential intrusion of any new two-storey dwelling along the streetscape is not considered unreasonable. Furthermore, the subject property is adjacent to Kalgoorlie Street, Braithwaite Park, abuts a driveway, and a Church, which ameliorates the potential impact of height.  A building height of 9.7 metres was previously approved by the City at the Ordinary Meeting of Council in July 2011.

<b>Issue/Design Element:</b>	<b>Lofts</b>
Requirement:	<b>Residential Design Elements Policy No. 7.2.1 BDADC 6</b> To be contained in a roof space – 35-45 degrees
Applicant's Proposal:	25 degrees
Design Principles:	<b>Residential Design Elements Policy No. 7.2.1 BDPC 6</b> BDPC 6 (i) The use of space within the roof space for habitable purposes is encouraged in lieu of a second storey, particularly in streetscapes that comprise predominantly single storey dwellings.
Applicant's Justification:	<i>Nil</i>
Officer Technical Comment:	The proposed roof design ensures the lift and the loft is contained within the roof pitch and is not considered to be detrimental to the amenity of the area.

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comment Period:	29 October 2013 to 12 November 2013.
Comments Received:	Seven (7) objections were received during the initial community consultation process. The City has not undertaken any additional advertising of the amended plans.

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Front Setbacks</u></p> <p><i>“The front setbacks proposed should not be supported in lieu of the requirement. The reduced setback inhibits the provision of adequate sightlines for motorists around this corner”.</i></p>	<p>The proposed design maintains the staggered frontage along the Scarborough Beach Road. The proposed setbacks are considered appropriate and are consistent with the existing two adjoining properties to the west. It is considered that the upper storey is well articulated and features windows and interest along the façade. Given the unusual nature of the street frontage, the required upper storey setback is supported.</p> <p>The City’s Technical Services has advised that sight lines are adequate.</p>
<p><u>Issue: Height and Scale</u></p> <p><i>“Concern that the proposed height of the construction is inappropriate for the site and adjoining properties, also note the dwelling is a third storey rather than a loft. The height does not fit in with the surrounding area”.</i></p> <p><i>“Concern over the bulky appearance of the dwelling to the adjoining property owners”.</i></p> <p><i>“Concern in relation to the loss of light from the scale of the development abutting”.</i></p>	<p>The proposed maximum height proposed to the pitch provides for a 0.55 metre variation. This variation is confined to only 10 per cent of the entire roof length. This is as a result of the proposed lift to the dwelling, which has been relocated further into the centre of the building to ensure the variation to the height is limited.</p> <p>The adjoining properties to the west sit approximately 1.6 metres lower than the subject lot, which along with the height of a standard dividing fence, will create loss of morning sun from the east. However, given the blocks orientation (north/south), and given the calculation of overshadowing as per the Residential Design Codes, the proposal complies with the overshadowing requirements as per the Residential Design Codes.</p>
<p><u>Issue: Privacy</u></p> <p><i>“Concern that the proposed balconies will allow for overlooking of the adjoining properties. Concern that due to the build up of the ground levels of the property, the dining room will allow for a view of the adjoining properties”.</i></p>	<p>The applicant has amended the western elevation of the proposed plans to comply with the privacy requirements of the Residential Design Codes. The proposed western face of the proposed balconies is required to be screened to comply with the privacy provisions of the Residential Design Codes. The proposed maximum height of the dining room window falls below the fence line thereby removing any line of sight to the</p>

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Boundary Fencing</u></p> <p><i>“Concern with possible removal of boundary fence and the cost of a new fence. Also concerns in relation to possible asbestos dust and fibres from the demolition of the existing dwelling. Request assurance that if any dividing fencing is removed from the boundary that the properties are safely secured during the building process”.</i></p>	<p>adjoining properties.</p> <p>Any removal of asbestos must be done in accordance with the applicable Environmental Health requirements. Any removal of dividing fences must be carried out in accordance with the Dividing Fences Act 1961 and in consultation with the adjoining land owners, which includes an agreement to the securing of fencing for the adjoining landowners whilst the construction occurs.</p>
<p><u>Issue: Air Conditioning</u></p> <p><i>“Concern over the location of air conditioning units – via noise, visual amenity and hot air expelled by these units. Would applicant consider the units be placed in the recessed area for dining room, which would reduce noise and heat generation to western fence or alternatively the front of the block”.</i></p>	<p>Amended plans dated 5 September 2014 have relocated the air conditioners to the rear service area to address the concerns raised by the adjoining landowners. In addition, any noise emitted by the air conditioners is to be in accordance with the Environmental Noise Regulations.</p>
<p><u>Issue: Parapet Wall</u></p> <p><i>“Concern with parapet wall proposed and specifically due to the fact the southern wall abuts an existing driveway, which provides access to the units of the adjoining property. Concern that the property owners of the adjoining property, if they hit this wall will pose significant impacts to the use of the driveway and units abutting the south west corner of the block”.</i></p>	<p>The proposed southern parapet wall abuts the driveway area of the adjoining property to the south and, therefore, it is considered that the wall will not detrimentally affect the adjoining property. The proposed western boundary parapet wall (garage) proposes a minor height variation to the average height requirements of the Residential Design Codes. It is considered that the variation is minimal and will not be detrimental to the adjoining property in terms of overshadowing.</p>
<p><u>Issue: Traffic</u></p> <p><i>“Concern over the impact of traffic whilst the development is under construction”.</i></p>	<p>All access to the site is to be managed in accordance with the Building Permit. Any issues that may arise with the street becoming congested or blocked are dealt with by the City’s Ranger Services.</p>

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

**LEGAL/POLICY:**

- 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; 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	
Issue	Comment
The design of the dwelling allows for adequate natural light and cross ventilation.	

SOCIAL	
Issue	Comment
The proposal will contribute to the variety of housing available in the City.	

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**Comments:**

**Technical Services**

The City's Technical Services have advised that the existing street tree located along the Kalgoorlie Street frontage is to remain, and the proposed driveway is to be constructed to ensure appropriate access is provided.

**Health Services**

The City's Health Services have advised that the removal of asbestos will be dealt with during the demolition permit.

**Planning**

The subject planning application has given particular attention to the surrounding developments adjacent to the site. The context of the development, in particular its location at the intersection of Scarborough Beach Road and Kalgoorlie Street has limited any potential impacts to the adjoining properties whilst opening up a previously fenced up frontage.

The proposed variations to building height, street setbacks and scale of the proposed dwelling would not adversely impact the existing streetscape. In addition, the applicant has provided

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amended plans to address the concerns raised during the community consultation process. These amendments are considered to improve the design and better reflect the existing context of the property.

The proposal satisfies the Design Principles of the City's Policy No. 7.2.1 relating to Residential Design Elements Policy and the Residential Design Codes of WA 2013. The height and design of the property is considerate of the adjoining single storey properties located to the west and the impact of overshadowing is limited to the driveway of the southern property.

**Conclusion:**

On the above basis, the proposed construction of a two-storey single house with loft is supported and it is recommended that the proposal be approved subject to relevant conditions.

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**9.1.2 No. 315 (Lot: 43 D/P: 1554) Pier Street, Perth – Proposed Construction of Two (2) Three-Storey Grouped Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Beaufort; P13	<b>File Ref:</b>	5.2014.390.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	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, APPROVES the application submitted by Home Builders Advantage on behalf of the owners A & Z Y Shehzad, for the Proposed Construction of a Two (2) Three-Storey Grouped Dwellings at No. 315 (Lot: 43 D/P: 1554) Pier Street, Perth as shown on amended plans date-stamped 25 September 2014, included as Attachment 002, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 313 and Nos. 317-319 Pier Street, Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the City's satisfaction;

2. **Building Appearance**

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

3. **Stormwater**

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

4. **Verge Trees**

No street verge trees on Pier Street shall be removed. The street verge trees are to 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 **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; and

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

**6.1 Redundant Crossover**

**Prior to the first occupation of the development, redundant section or “blind” crossovers shall be removed and the verge and kerb made good to the satisfaction of the City, at the applicant/owner’s full expense.**

**ADVICE NOTES:**

- 1. With regard to condition No. 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;**
- 2. All new crossovers are subject to a separate application to be approved by the City; and**
- 3. Any new street/front wall, fence and gate within the Pier Street setback area, including along the side boundaries within these street setback areas, shall comply with the City’s Policy provisions relating to Street Walls and Fences.**

**PURPOSE OF REPORT:**

Planning applications relating to three storey developments are required to be referred to Council for determination.

**BACKGROUND:**

**History:**

<b>Date</b>	<b>Comment</b>
27 May 2007	Council resolved to approve the construction of a three-storey mixed use development comprising two (2) multiple dwellings, one (1) office and basement car parking.
8 December 2009	Council resolved to approve the construction of five (5) single bedrooms multiple dwellings.
9 October 2013	Council resolved to refuse the construction of two (2) three-storey grouped dwellings due to lot boundary setbacks, open space, garage width and solar access to adjoining sites.

**DETAILS:**

<b>Landowner:</b>	A & Z Y Shehzad
<b>Applicant:</b>	Home Builders Advantage
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: Residential/Commercial R80
<b>Existing Land Use:</b>	Vacant
<b>Use Class:</b>	Grouped Dwelling
<b>Use Classification:</b>	“P”
<b>Lot Area:</b>	319 square metres
<b>Right of Way:</b>	Not Applicable

The application proposes two (2) three-storey grouped dwellings on the existing vacant site. Each proposed dwelling comprises four (4) bedrooms, two (2) lounge rooms, two (2) balconies, a secure garage and a store for each dwelling. Revised plans submitted by the applicant on 25 September 2014, relocated the store towards the side of the property behind the porch and entry to address the concerns raised by the adjoining landowner.

**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.

Design Element	Complies	Requires the Exercise of Discretion
Density	✓	
Streetscape	✓	
Front Fence	✓	
Street Setback	✓	
Lot Boundary Setbacks		✓
Boundary Height & Storeys	✓	
Roof forms	✓	
Open Space	✓	
Outdoor living areas	✓	
Bicycles	✓	
Access & Parking	✓	
Privacy	✓	
Solar Access	✓	
Site Works	✓	
Essential Facilities	✓	
Surveillance	✓	

**Acceptable Variations**

Issue/Design Element:	Lot Boundary Setback
Requirement:	<p><b>Residential Design Codes Clause 5.1.3 C3.1</b></p> <p><b>Northern Unit:</b> Ground floor – North – 1.5 metres First floor – North – 2 metres Second floor – North – 2.2 metres</p> <p><b>Southern Unit:</b> Ground floor – South – 1.5 metres First floor – South – 2 metres Second floor – South – 2.2 metres</p> <p><b>Boundary Walls:</b> One side permitted</p>
Applicant's Proposal:	<p><b>Northern Unit:</b> Ground floor – North – Nil to 1.2 metres (proposed variation of 1.5 metres to 0.3 metres) First floor – North – 1.9 metres (proposed variation of 0.1 metres) Second floor – North – 1.9 metres (proposed variation of 0.3 metres)</p> <p><b>Southern Unit:</b> Ground floor – South – Nil to 1.2 metres (proposed variation of 1.5 metres to 0.3 metres) First floor – South – 1.9 metres (proposed variation of 0.1 metres) Second floor – South – 1.9 metres (proposed variation of 0.3 metres)</p> <p><b>Boundary Walls:</b> Two sides proposed (North and South)</p>

Issue/Design Element:	Lot Boundary Setback
Design Principles:	<p><b>Residential Design Codes Clause 5.1.3 (P3.1)</b> P3.1 Buildings set back from lot boundaries so as to:</p> <ul style="list-style-type: none"> <li>• reduce impacts of building bulk on adjoining properties;</li> <li>• provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</li> <li>• minimise the extent of overlooking and resultant loss of privacy on adjoining properties.</li> </ul> <p>P3.2 Buildings built up to boundaries (other than the street boundary) where this:</p> <ul style="list-style-type: none"> <li>• makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;</li> <li>• does not compromise the design principle contained in clause 5.1.3 P3.1'</li> <li>• does not have any adverse impact on the amenity of the adjoining property;</li> <li>• ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and</li> <li>• positively contributes to the prevailing development context and streetscape.</li> </ul>
Applicant justification summary:	Nil.
Officer technical comment:	<ul style="list-style-type: none"> <li>• The layout of the development across the site with the upper floors being setback from the ground floor allow sunlight to penetrate the adjoining properties and allows for sufficient ventilation to the adjoining properties.</li> <li>• The variation to the northern and southern boundaries will not have any impact in terms of overshadowing, privacy and visual impact.</li> <li>• The development makes efficient use of vacant land is close proximity to a highly sought after area. The design provides sufficient usable open space for the proposed dwellings whilst limiting any unnecessary impacts on the adjoining residential properties.</li> </ul>

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comment Period:	3 September 2014 to 17 September 2014
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Comments Received:	One (1) general concern was received during the community consultation period.
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Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Street Setback</u></p> <p><i>“The location of the store rooms obstructs the view from inside and outside the property at 317 Pier Street Perth and seems an unattractive proposal to put a store room so close to the front of the property”.</i></p>	<p>The applicant submitted amended plans relocating the storeroom towards the side of the property behind the porch and entry, to address the concerns raised.</p>

**LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Three (3) Storey grouped dwelling development:

- 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; and
- Beaufort Precinct Policy No. 7.1.13.

**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*.

**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 dwelling allows for adequate natural light and cross ventilation.	

SOCIAL	
Issue	Comment
The proposal provides accommodation for smaller households.	

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

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**COMMENTS:**

**Planning**

The proposed development is located within a residential/commercial zoned area directly adjacent to the 'NIB' Stadium. The development complies with the three storey height limit and overshadowing permitted for this site, and as such the variations to the lot boundary setbacks are considered not to have an adverse impact on the adjoining properties in terms of solar access.

It is considered that the proposed building height, lot boundary setbacks and scale of the proposed dwelling would not adversely impact the existing streetscape due to the location of the proposed dwellings. The applicant has provided amended plans to address the concerns raised by the adjoining owners. These amendments are considered to improve the design of the development.

**Conclusion:**

The proposal is considered acceptable and will contribute positively to the future amenity and streetscape of Pier Street and redevelopment of the area. On the above basis, the proposed construction of two (2) three-storey grouped dwellings is supported in this instance, subject to relevant conditions and advice notes.

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**9.1.3 No. 91 (Lot: 3 D/P: 6257) Bourke Street, Leederville – Proposed Demolition of Existing Single House and Construction of Four (4) Multiple Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Leederville; P3	<b>File Ref:</b>	PR18552; 5.2014.404
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans <a href="#">003</a> – Applicant Justification Submission <a href="#">004</a> – Design Advisory Comments dated 18 June 2014 <a href="#">005</a> – Applicant’s Response to DAC Comments <a href="#">006</a> – Car Parking Table <a href="#">007</a> – Compliance with Multiple Dwelling definition plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Groom, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	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, **APPROVES** the application submitted by J Collins on behalf of the owner S Oregioni, K & R Hawthorne, Y H E Tse and J & S Meyer, for the Proposed Demolition of an Existing Single House and the construction of a Two-Storey Multiple Dwelling comprising of Four (4) Multiple Dwellings and Associated Car Parking at No. 91 (Lot: 3 D/P: 6257) Bourke Street, Leederville as shown on amended plans date-stamped 6 October 2014, included as Attachment 002, subject to the following conditions:

1. **Demolition**  
  
A Demolition Permit shall be obtained from the City prior to commencement of any works on the site;
  
2. **Boundary Wall**  
  
The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 250-252 Oxford Street, Leederville, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;
  
3. **Verge Trees**  
  
No street verge tree on Bourke Street shall be removed. The street verge tree is to be retained and protected from any damage including unauthorised pruning;
  
4. **Car Parking and Access ways**
  - 4.1 A minimum of four (4) residential car bays and one (1) visitor bay, are to be provided on site for the development;
  - 4.2 The car park shall be used only by residents and visitors directly associated with the development; and
  - 4.3 The visitor bay is to be marked accordingly;

5. **Building Appearance**

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

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

6.1 **Amended Plans**

The owner or the applicant on behalf of the owner shall provide the City with amended plans to address the following:

6.1.1 **Bin Store**

A bin store is to be provided, of a sufficient size to accommodate the City's maximum bin requirement, to the satisfaction of the City; and

6.1.2 **Pedestrian Access/Vehicle Driveway**

All pedestrian access and vehicle driveway/crossover levels shall match into the existing verge and footpath levels to the satisfaction of the City;

6.2 **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:

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

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

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

6.2.4 All vegetation including lawns;

6.2.5 Areas to be irrigated or reticulated;

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

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

6.3 **Acoustic Report**

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

6.4 **Construction Management Plan**

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

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**6.5 Storm Water**

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

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

The owner shall agree in writing to:

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

6.6.2 A notice being placed on the Sales Contract

to alert prospective purchasers that:

(a) The use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and

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

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

**7.1 Clothes Drying Facility**

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

**7.2 Car Parking**

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

**7.3 Management Plan-Vehicular Entry Gates**

The proposed vehicular entry gates to the car parking shall be either open at all times or a plan shall be submitted to and approved by the City detailing management measures for the operation of the vehicular entry gates, to ensure access is readily available for residents/visitors to the residential units at all times;

**7.4 Landscaping**

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

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**7.5 Section 70A Notification**

With regard to condition 6.6, this notification shall be lodged and registered in accordance with the Transfer of Land Act; and

**7.6 Residential Bicycle Bays**

A minimum of four (4) residential bicycle bays and one (1) visitor bay 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; and

**7.7 Acoustic Report**

With regard to condition 6.3, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

**ADVICE NOTES:**

1. With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With regard to condition 6.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
3. A Road and Verge security bond for the sum of \$2000, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
4. Any new street/front wall, fence and gate within the Bourke Street setback area, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;
5. With regard to condition 6.5, no further consideration shall be given to the disposal of storm water 'off-site' without the submissions of a geotechnical report from a qualified consultant. Should approval to dispose storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings; and
6. With regard to condition 7.6, Class three bicycle facilities are where the bicycle frame and wheels can be locked. Generally in the form of an upside down 'U' shaped bar.

**PURPOSE OF REPORT:**

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

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**BACKGROUND:**

Various applications for development were considered for this site in 2010 as follows:

Date	Comment
11 January 2010	Council resolved to approve Proposed Additional Two (2) Two-Storey Grouped Dwellings to Existing Single House.
9 August 2010	Development Application Deemed Cancelled for Demolition of Existing Single House and Construction of Four-Storey Mixed Use Development Comprising Eight (8) Multiple Dwellings, One (1) Office and Associated Car parking.
7 December 2010	Council resolved to approve Demolition of Existing Single House and Construction of Four-Storey Mixed Use Development Comprising Three Single Bedroom Multiple Dwellings, Three Multiple Dwellings and One Office and Associated Car Parking.

**DETAILS:**

<b>Landowner:</b>	S Oregioni, K & R Hawthorne, Y H E Tse and J & S Meyer
<b>Applicant:</b>	J Collins
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: Residential R40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	"P"
<b>Use Classification:</b>	Multiple Dwellings
<b>Lot Area:</b>	615 square metres
<b>Right of Way:</b>	Not applicable

The application is for the proposed Demolition of an Existing Single House and the Construction of a Two-Storey Multiple Dwelling development comprising of Four (4) Two (2) bedroom Multiple Dwellings and associated car parking. The R-Codes 2013 define Multiple Dwellings as "a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but: does not include grouped dwellings; and includes any dwellings above the ground floor in a mixed use development". The proposal shows that a portion of each dwelling is directly above an adjoining unit as shown in Attachment 007.

**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	✓	
Landscaping	✓	
Open Space	✓	
Roof Forms		✓
Bicycles		✓
Access & Parking		✓
Privacy	✓	
Solar Access	✓	

Design Element	Complies	Requires the Exercise of Discretion
Site Works	✓	
Utilities & Facilities	✓	
Surveillance	✓	

**Acceptable Variations**

Issue/Design Element:	Street Setback
Requirement:	<p><b>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2</b> Bourke Street Ground floor = Average of 5 adjoining properties either side of the development = 5.035 metres</p> <p>Upper floor = Walls on Upper floor – A minimum of two metres behind each portion of the ground floor setback</p> <p>Balconies – A minimum of one metre behind each portion of the ground floor setback</p>
Applicant's Proposal:	<p>Ground floor = 3 metres (proposed variation of 2.035 metres)</p> <p>Upper floor = Walls on upper floor – directly above ground floor (proposed variation of 2 metres)</p> <p>= Balcony – overhangs ground floor approximately 0.8 metres (proposed variation of 1.8 metres)</p>
Design Principles:	<p><b>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2 SPC5</b></p> <p>(i) Development is to be appropriately located on site to:</p> <ul style="list-style-type: none"> <li>• Maintain streetscape character;</li> <li>• Ensure the amenity of neighbouring properties is maintained;</li> <li>• Allow for the provision of landscaping and space for additional tree plantings to grow to maturity;</li> <li>• Facilitate solar access for the development site and adjoining properties;</li> <li>• Protect significant vegetation; and</li> <li>• Facilitate efficient use of the site.</li> </ul> <p>(ii) Variations to the Deemed-to-Comply Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>

Issue/Design Element:	Street Setback
Applicant justification summary:	<p><i>“With reference Residential Design Elements Policy 7.2.1:</i></p> <ul style="list-style-type: none"> <li>• <i>The proposal maintains streetscape character.</i></li> <li>• <i>The adjoining building to the west has a nil front setback and the adjoining building to the east has a 5.4 metre setback to the front verandah, therefore the proposed 3.0metre setback is midway between the adjoining lots.</i></li> </ul>
	<ul style="list-style-type: none"> <li>• <i>The proposal allows for landscaping and tree plantings to grow to maturity.</i></li> <li>• <i>The proposal ensures the amenity of the neighbouring properties is maintained.</i></li> <li>• <i>The proposal facilitates solar access for the site and adjoining properties.</i></li> <li>• <i>The proposed setback facilitates efficient use of the site.”</i></li> </ul>
Officer technical comment:	<ul style="list-style-type: none"> <li>• The proposed development provides for a staggering of front setbacks on both the lower and upper storeys, which not only reduces bulk and scale to the existing streetscape but provides an attractive street frontage which is in keeping with the existing current varied setting along Bourke Street.</li> <li>• The proposed layout of the development across the site allows for light and ventilation to the adjoining properties. The presence of large open areas along the eastern façade in combination with the first floor not occupying the whole site reduces building bulk.</li> <li>• The provision of landscaping at the front of the property will complement the existing streetscape along Bourke Street.</li> <li>• The proposed street setbacks are considered to maintain the existing streetscape. Council resolved to approve the construction of a Two-Storey Commercial Building comprising of Office, Eating House and Associated Car Parking on the adjoining site at Nos. 250-252 Oxford Street at its Ordinary Meeting held on 23 April 2013, which has a ‘nil’ setback to Bourke Street.</li> <li>• The proposed lower floor also includes a staggering of setbacks across the front of the property. The vehicle entry point further reduces the impact of a setback variation of the lower floor on the street. The proposed upper floor includes a variety of setbacks. It provides for an open balcony and includes a variation of finishes such as rendered brickwork, wall cladding and metal balustrade which help to minimise impact of the street setback variation.</li> </ul>

Issue/Design Element:	Lot Boundary Setbacks
Requirement:	<p><b>Residential Design Codes Clause 6.1.4</b></p> <p>First Floor: Southern boundary = 1.5 metres Western boundary = 2.5 metres</p>

<b>Issue/Design Element:</b>	<b>Lot Boundary Setbacks</b>
Applicant's Proposal:	<p>First Floor: Southern boundary = 1.2 metres/1.7 metres (proposed variation of 0.3 metres) Western boundary = 1.8 metres/Nil (proposed variation of 0.7 metres to 2.5 metres)</p>
Design Principles	<p><b>Residential Design Codes P4.1</b> Buildings setback from boundaries or adjacent buildings so as to:</p> <ul style="list-style-type: none"> <li>• ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;</li> <li>• moderate the visual impact of building bulk on a neighbouring property;</li> <li>• ensure access to daylight and direct sun for adjoining properties; and</li> <li>• assist with protection of privacy between adjoining properties.</li> </ul>
Applicant justification summary:	<p><i>"With reference to the R-Codes Clause 6.1.4:</i></p> <ul style="list-style-type: none"> <li>• <i>The proposed wall abuts an existing boundary wall of similar dimensions.</i></li> <li>• <i>The proposal ensures adequate daylight, direct sun and ventilation for the buildings and the open spaces associated with them.</i></li> <li>• <i>The proposal moderates the visual impact of the building bulk on neighbouring property.</i></li> <li>• <i>The proposal ensures direct access to daylight and direct sun for adjoining properties.</i></li> <li>• <i>The proposal assists with the protection privacy between adjoining dwellings.</i></li> <li>• <i>The proposal does not have any adverse impact on the amenity of the adjoining property.</i></li> <li>• <i>The applicant is happy to add screening to all balconies if required which would bring the setback into compliance."</i></li> </ul>
Officer technical comment:	<ul style="list-style-type: none"> <li>• The presence of windows on both of the eastern and western elevations, together with the first floor not occupying the whole site allow for the provision of adequate daylight, direct sun and ventilation to the proposed dwellings on both the ground and upper floor.</li> <li>• The layout of the development east to west across the site on both the lower and upper floor allows for significant areas of space that permit sunlight to penetrate the adjoining properties and allows for sufficient ventilation on the adjoining properties. The overshadowing cast on the southern property complies with the permitted percentage of overshadowing specified in the R-Codes 2013.</li> </ul>

<b>Issue/Design Element:</b>	<b>Roof Forms</b>
Requirement:	<p><b>Residential Design Elements Policy No. 7.2.1 BDADC 3</b></p> <p>The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged.</p>
Applicant's Proposal:	15 degree skillion roof
Design Principles	<b>Residential Design Elements Policy No. 7.2.1</b>

Issue/Design Element:	Roof Forms
	<p><b>BDAPC 3</b></p> <p>The roof of a building is to be designed so that:</p> <ul style="list-style-type: none"> <li>• It does not unduly increase the bulk of the building;</li> </ul>
	<ul style="list-style-type: none"> <li>• In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and</li> <li>• It does not cause undue overshadowing of adjacent properties and open space.</li> </ul>
Applicant justification summary:	Nil.
Officer technical comment:	<ul style="list-style-type: none"> <li>• The design of the proposed roof is contemporary. The height and bulk of the structure of a skillion roof is less bulky and of a lesser height than what would be allowed if the roof was pitched.</li> <li>• The use of a pitched roof would potentially result in more overshadowing of the adjoining property rather than a skillion roof.</li> <li>• The Bourke Street streetscape contains a mixture of roof pitch types ranging with some flat roofed dwellings to sharply pitched roofs. As such the proposed roof is considered to complement the existing built form in the area.</li> </ul>

Issue/Design Element:	Setbacks of Carports and Garages
Requirement:	<p><b>Residential Design Elements Policy No. 7.2.1 SPC8</b></p> <p>Garages and Carports are not to visually dominate the site or streetscape.</p>
Applicant's Proposal:	The garage for Unit 1 is in line with front of the main building.
Design Principles	<p>(c) Where vehicular access to car parking, carports and garages are permitted to be from the street (primary or secondary), the following requirements are to be met:</p> <p>(2) Garages are to be setback a minimum of 500 millimetres behind line of the front main building line of the dwelling (not open verandah, porch, portico and the like).</p>
Applicant justification summary:	<p><i>"Residential Design Elements Policy 7.2.1 Clause 6.4.2 (iv) Garages and Carports not to visually dominate the site or streetscape.</i></p> <ul style="list-style-type: none"> <li>• <i>Although the garage is the same line as the ground floor bedroom, the wall is broken up with a mix of materials, a cantilevered balcony and canopies, which provide articulation to the elevation."</i></li> </ul>
Officer technical comment:	<ul style="list-style-type: none"> <li>• The streetscape and character of Bourke Street is changing and undergoing a transition whereby original sized blocks are being redeveloped with modern grouped dwellings or multiple dwellings. This has resulted in variations to the streetscape appearance including the setbacks of garages.</li> <li>• The garage does not front Bourke Street, with the side elevation incorporating a window to create the perception of a habitable room instead of a garage.</li> </ul>

Issue/Design Element:	Setbacks of Carports and Garages
	<ul style="list-style-type: none"> <li>The proposed development maintains visual connectivity between the dwelling and streetscape, particularly through the use of a balcony on the upper floor that stretches the width of the garage. The balcony on the upper floor and the windows on the ground floor offset the bulk that would otherwise be created by a garage at the front of the dwelling.</li> </ul>

**Variations Requiring a Condition**

Issue/Design Element:	Bicycle
Requirement:	<p><b>Residential Design Codes C3.2</b></p> <p>Residential component (as per the R-Codes- 1 bicycle space to each 3 dwellings for residents (4 dwellings – 2 bays required) and 1 bicycle space to each 10 dwellings for visitors (4 dwellings – 0.4 or 1 bicycle bay required):</p>
Applicant's Proposal:	Nil Visitor Bicycle Bay.
Design Principles	<p><b>Residential Design Codes P3.1</b></p> <p>Adequate car parking and bicycle parking provided on-site in accordance with projected need related to:</p> <ul style="list-style-type: none"> <li>The type, number and size of dwellings;</li> <li>The availability of on-street and other off-site parking; and</li> <li>(i) The proximity of the proposed development in relation to public transport and other facilities.</li> </ul>
Applicant justification summary:	<p><i>"With reference to the R-Codes – Clause 6.3.3</i></p> <ul style="list-style-type: none"> <li><i>Wall mounted bicycles racks are proposed to each store room to provide secure bicycle parking."</i></li> </ul>
Officer technical comment:	It is recommended that a condition to comply with the bicycle requirements is imposed on the approval.

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Comment Period:	22 August 2014 to 12 September 2014		
Comments Received:	Two (2) letters of support, Three (3) objections and Two (2) general concern submissions were received.		

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Visual Privacy</u></p> <p><i>"Someone sitting on the terrace of Unit 1 (and possibly Unit 2) will look directly into the front courtyard, main bedroom and kitchen windows of 89 Bourke Street. The terrace can be enclosed to the east (which would maintain privacy for No. 89) and remain open to the north and still be a nice, usable outdoor living area. With the small living/dining area inside and the overhead louvers to the terraces, they have obviously be designed to be an extension of the small indoor living space and thus I'd image they would be utilised a lot for dining/entertaining etc. And I am concerned at all the noise and invasion of privacy to 89, 89a and 89b Bourke Street that will entail"</i></p>	<p>Amended plans have been submitted including privacy screens along the entire length of the balconies on the eastern elevation thereby addressing overlooking concerns.</p>

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Overshadowing</u></p> <p><i>"Overshadowing falls entirely over No. 19 Burgess Street outdoor living area and has contravened the R-Codes Clause 6.4.2. This should not be permitted. The codes are designed to protect neighbours from bad design."</i></p>	<p>The proposed development meets the deemed-to-comply requirements of the R-Codes <i>Solar Access for adjoining sites</i>. In addition, amended plans submitted indicate the loft being removed within the rear unit, further reducing the shadow cast on the properties to the south.</p>
<p><u>Issue: Parking</u></p> <p><i>"Concerned that there is no visitor parking as the part of Bourke Street is high density and parking is at a premium."</i></p>	<p>The proposal incorporates sufficient parking for each development. The R-Codes 2013 permit that only one car bay be provided for each dwelling. Amended plans submitted on 6 October 2014 include car parking for each unit plus an additional bay for visitor parking (refer Attachment 006). A condition has been also been included regarding the restriction in the issuing of street parking permits for the development site.</p>
<p><u>Issue: Street Setback</u></p> <p><i>"This negatively affects the streetscape and amenity of the neighbour. Landscaping is important at this end of Bourke Street as there are few, healthy, mature street trees."</i></p>	<p>The streetscape along Bourke Street is not uniform rather it is varied and does not reflect any specific character or form. The articulated design fronting Bourke Street is complimented with openings including the balcony on the upper floor as well as the inclusion of colour and finish. These elements help to maintain the emerging streetscape pattern of the street.</p> <p>The design of the building and the access of the property down the eastern side of the property allow significant levels of landscaping to soften the appearance of the building to the street. It also prevents the loss of privacy of adjoining properties and ameliorates any impacts of building bulk. This enables the amenity of the adjoining dwellings to be maintained.</p>
<p><u>Issue: Building Size</u></p> <p><i>"Object to scale of building. Should considered three units to stay within principles."</i></p>	<p>The proposal complies with the plot ratio as required by the Residential Design Codes 2013. In addition, the proposed development is considered to be consistent in terms of its design, bulk and scale with other similar developments in the immediate locality.</p>
<p><u>Issue: Lot Boundary Setbacks</u></p> <p><i>"Object to having four units. Scale impacts on 19 Burgess Street outdoor living area and living indoor area access to direct sun. Building bulk from Unit 4 directly impacts 19 Burgess Street."</i></p>	<p>The proposal is two storey in height and consistent with the height of the surrounding adjoining properties. The proposed setback variations will not pose a significant detriment to the provision of light and ventilation to the adjoining properties.</p>

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Roof forms</u></p> <p><i>"Object to unit 4 having a loft that increases the roof height therefore the overshadowing on 19 Burgess Street."</i></p>	<p>Amended plans submitted on 6 October 2014 removed the loft from the rear unit to reduce the roof height to ensure that overshadowing is limited to the southern property. The proposed overshadowing meets the deemed-to-comply requirements of the R-Codes 2013.</p>

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

**Design Advisory Committee:**

The proposal was referred to the City's DAC meeting on the 18 June 2014. (For the minutes of the meeting refer to Attachment 004).

The applicant has incorporated the DAC's comments in the revised plans stamp-dated 26 September 2014 and provided a response to the comments (refer to Attachment 005).

Given the proposal is a two (2) storey development, no design excellence is required. The applicant having responded to the matters raised by the DAC, a better outcome for the proposed development has been achieved.

**LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Demolition of Single Dwelling and Construction of Two (2) Storey Multiple Dwelling Development Comprising Four (4) 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
- Leederville Precinct Policy No. 7.1.3.

**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."*

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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:**

**Heritage Services**

The proposed development application involves the demolition of the existing brick and tile dwelling at No. 91 Bourke Street, Leederville, constructed circa 1926. 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 and the place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered. In accordance with the City's Policy No. 7.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

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**

The design of the development has given particular attention to the surrounding varied development context in particular the newer developments located at the intersection of Bourke Street and Oxford Street and the single residential properties and grouped dwellings located along Bourke Street.

The development complies with the plot ratio, height, boundary wall, overshadowing and landscaping required for this site. The proposed design treatments (articulation, materials and colour) to the front facades will mitigate any impact on the streetscape resulting from the street setback variation.

The development complies with the overshadowing requirement and such variations to the building setbacks will not impact on the adjoining properties in terms of solar access. The setback variations are minor and will not compromise access to sunlight and ventilation to the adjoining properties and to the proposed development.

Located within the Leederville locality, in close proximity to public transport nodes and the Leederville Town Centre, a development of four (4) multiple dwellings will allow for greater intensity of land use which is appropriate, while the contemporary appearance of the dwelling will suit the recently constructed and under construction developments along Bourke Street.

**Conclusion:**

The proposal is acceptable and will contribute positively to the future amenity and streetscape of Bourke Street and redevelopment of the area. The proposal variations will not have an impact on the surrounding area, the application is therefore recommended for approval subject to conditions.

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**9.1.4 Nos. 596-598 (Lot Y116; D/P 2360) Newcastle Street, corner Loftus Street, West Perth – Renewal of a Billboard Signs Approval**

<b>Ward:</b>	South	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Cleaver; P05	<b>File Ref:</b>	PRO0799; 5.2014.439.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans <a href="#">003</a> – Applicant Justification Submission		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Laming, Statutory Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**FURTHER 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 WA Billboards on behalf of the owner G V Cerini for the proposed Renewal of a Billboard Signs Approval at Nos. 596-598 (Lot Y116; D/P 2360) Newcastle Street, corner of Loftus Street, West Perth, and as shown on plans date stamped 12 August 2014, included as Attachment 002, subject to the following conditions:

1. **Approval Period**

This approval for the billboard signs is valid for a period of five (5) years from the date of issue of this approval;

2. **Billboard Signs Requirements**

- 2.1 The billboard signs shall not have flashing or intermittent lighting as determined by the City;
- 2.2 The billboard signs shall not display advertising which, as determined by the City, by virtue of colour or content may confuse the motorist or imitate the traffic signals or road signs;
- 2.3 The advertising content displayed on the billboard signs shall not contain material that (by reasonable definition) that, as determined by the City, may be offensive to the public or cause unacceptable levels of distraction;
- 2.4 The billboard signs are not to exceed the dimensions as shown on the approved plans; and
- 2.5 The billboard signs shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and

3. **Landscaping**

The landscaping as outlined in the plan date stamped 12 August 2014 shall be planted and maintained thereafter by the owner(s)/occupiers at their own expense.

**ADVICE NOTES:**

1. The application is considered a special case and renewal of the approval should not be considered a precedent for allowing Billboard signs within the City of Vincent;
2. Should the applicant wish to continue the use after the approval period, it shall be necessary to reapply to and obtain approval from the City prior to the approval lapsing; and
3. Any proposed change to the billboard signs that does not comply with the Billboard signs requirements of this approval, as shown above, or, if it is determined by the City that the appropriateness of the advertising displayed on the billboard signs is undesirable and detrimental to the amenity of the locality, a new planning application shall be submitted to the City for approval.

**PURPOSE OF REPORT:**

The existing billboard signs were approved by Council at its Ordinary Meeting on 23 February 2010 with the condition to seek renewal of the planning approval five years from the issue date of the approval.

With the previous Planning Approval for the billboards due to expire on 8 March 2015, an application to renew the approval period has been lodged.

**BACKGROUND:**

**History:**

Date	Comment
9 March 2004	Council resolved to conditionally approve an application for signage (billboards) and associated retaining walls and landscaping, subject to conditions (including that the approval is for a period of 3 years only and the applicant would need to reapply for the continuation of use).
8 August 2006	Council at its Ordinary Meeting resolved to approve an application for the renewal of the Planning Approval granted on 9 March 2004 for Existing Signage and Associated Retaining Walls with Modified Gardens and Landscaping (including that the approval is for a period of 3 years only and the applicant would need to reapply for the continuation of use).
23 February 2010	Council at its Ordinary Meeting resolved to approve an application for the renewal of the Planning Approval granted on 8 March 2006 for Proposed Renewal of Planning Approval for Existing Signage (including that the approval is for a period of 5 years only and the applicant would need to reapply for the continuation of use).

**DETAILS:**

<b>Landowner:</b>	G V Cerini
<b>Applicant:</b>	WA Billboards
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Vacant Land with Billboard Signage
<b>Use Class:</b>	Vacant Land with Billboard Signage
<b>Use Classification:</b>	Not Applicable
<b>Lot Area:</b>	641 square metres

The proposal comprises existing two (2) billboard signs and associated landscaping. The dimensions of the billboard signs are identical, with a length of 15.7 metres, a height of 4.5 metres and a width of 0.5 metres.

**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
<b>Signs and Advertising</b>		✓
<b>Streetscape</b>	✓	
<b>Street Setback</b>	✓	
<b>Lot Boundary Setbacks</b>	✓	

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

Issue/Design Element:	Bill Posting and Billboards
Requirement:	<p><b>Signs and Advertising Policy Clause 2</b></p> <p>No signage is permitted on fences, walls or the like structures which do not form an integral part of the building (this is not to include awnings).</p> <p>The total signage area is not to exceed 10 per cent of the total area of the building wall in which that signage is located.</p> <p><b>Signs and Advertising Policy Clause 3 (iii)</b></p> <p>Bill Posting, Billboards and the structures of a similar or identical type are not permitted within the City of Vincent.</p>
Applicant's Proposal:	Continue use of the existing two (2) Billboards fronting Newcastle Street and Loftus Street.
Design Principles:	<p><b>Signs and Advertising Policy Clause 5</b></p> <p>Where the Standards are not met, the proposed signs will be assessed in accordance with the principles set out below:</p> <p>(i) Appropriateness of Setting:</p> <p>(a) The scale and design of the proposed signage is appropriate to the building and the architectural detailing to which it relates;</p> <p>(b) The scale and design of the proposed signage is compatible with existing surrounding development and is appropriate to the general nature of land use in the area;</p> <p>(c) The proposed signage does not dominate the streetscape;</p> <p>(d) The proposed signage does not block important views, obscure architectural detailing or is not detrimental to the amenity of nearby properties; and</p> <p>(e) The proposed signage does not result in the destruction of important elements of the building fabric.</p>

Issue/Design Element:	Bill Posting and Billboards
Applicant justification summary:	<p><i>“The site has developed into a well recognised landmark and one which provides the City and its residents with large swath of green streetscape in a highly developed inner city area that has limited open space opportunities for the local community.</i></p> <p><i>Not only does the development provide this rare commodity at no cost to the City and the local residents but it has also become the venue of choice to showcase some of Perth’s best and highly creative advertising messages. These include water saving messages from the Water Corporation and community awareness for organisations such as The Royal Flying Doctor and City to Surf Fun Run.</i></p> <p><i>The site is also enjoyed by many others within the community such as cyclists who stop here for a break or nearby workers who eat lunch or relax on the grassed areas.”</i></p>
Officer technical comment:	<p>The proposed development is considered to comply with the design principles as:</p> <ul style="list-style-type: none"> <li>• The subject site is located at a busy intersection and is within close proximity to other commercial uses on Newcastle Street, Loftus Street and the Leederville Town Centre. The scale and design of the signage is compatible with existing surrounding development and is appropriate to the general nature of land use in the area; and</li> <li>• The proposal includes well maintained landscaping that is incorporated into the site layout and ensures that the Billboard signs do not dominate the streetscape.</li> </ul>

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Clause 37 (2) of the City’s Town Planning Scheme No. 1 provides that the City can advertise an application in any manner that it considers to be appropriate. Given that the billboard signs exist, and there are no changes proposed to what has previously been approved, the City deemed advertising for community consultation to be not warranted.

Comment Period:	N/A
Comments Received:	N/A

**LEGAL/POLICY:**

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Signs and Advertising Policy No. 7.5.2; and
- Cleaver Precinct Policy No. 7.1.5.

**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 2005*.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

*"Economic Development*

2.1 *Progress economic development with adequate financial resources.*

2.1.1 *Promote business development and the City of Vincent as a place for investment appropriate to the vision for 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:

<b>ENVIRONMENTAL</b>
The use has no impact on the environmental surroundings.

<b>SOCIAL</b>
The use will provide a service for the area.

<b>ECONOMIC</b>
The use will allow the owners of the land to utilise the site given the site's limited development potential.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The existing billboard signs have operated as the primary use of the subject site since first approved by Council on 9 March 2004.

The applicant has consistently maintained the existing signs and structures and associated landscaping to the satisfaction of the City. The City has not had any issues with the billboard signs continuing as the approved use of the land.

Billboard signs are otherwise not supported in the City as the bulk and scale of billboards and structures of a similar or identical type are inconsistent with the objectives of the City's Town Planning Scheme No. 1. Further, the City's 'Signs and Advertising' policy does not permit billboards, as the advertising displayed on the signs does not relate to the use of the site.

However, it is acknowledged that the subject site has limited development potential due to issues relating to vehicular access and sight lines. Any future development of the site would require amalgamation with adjoining properties. Therefore, the existing signs are considered to be a suitable use for the site until a more desirable development opportunity arises.

It should be noted that the applicant has requested that the condition that requires the applicant to seek renewal of the planning approval prior to the approval lapsing, as previously imposed, not be included should Council grant approval for the current proposal.

The City holds the view that the condition to require the renewal of the planning approval provides the City with control over the long term use of the site, given that the current use of the land is not ideal.

Given the above, any renewal of approval for the billboard signs should be limited to a further 5 years only. This time limit will allow the opportunity for a more appropriate development of the site in the longer term.

**CONCLUSION:**

Given that the billboard signs exist, the City has no issues with the use continuing and the signs have previously been approved, it is recommended that the application be approved subject to appropriate conditions including an approval validity of five (5) years.

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**9.1.5 Scheme Amendment No. 38 Final Approval – Extension of Eton Locality Sunset Clause**

<b>Ward:</b>	North Ward	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Mount Hawthorn (P1); North Perth (P8)	<b>File Ref:</b>	SC1316
<b>Attachments:</b>	<a href="#">001</a> – Scheme Amendment Report <a href="#">002</a> – Summary of Submissions		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J O’Keefe, Acting Manager Strategic Planning, Sustainability and Heritage Services M Tarca, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council:

- ADOPTS Amendment No. 38 to the City of Vincent Town Planning Scheme No. 1, to amend the dates referred to in clauses 20(4)(c)(ii) and 20(4)(h)(i) as contained in Attachment 001 from ‘29 March 2015’ to ‘29 March 2017’; and**
- AUTHORISES the Chief Executive Officer to execute Amendment No. 38, reflecting the Council’s endorsement of final approval.**

**PURPOSE OF REPORT:**

To advise Council of the outcomes from the public consultation period of Scheme Amendment No. 38 and to request Council to endorse the amendment for final approval.

**BACKGROUND:**

The Eton locality Sunset Clause was first introduced into Town Planning Scheme No. 1 by Scheme Amendment No. 11 which proposed to down code areas of North Perth and Mount Hawthorn from R30/40 and R30 to R20, respectively. The amendment was modified with two sunset clauses (clauses 20(4)(c)(ii) and 20(4)(h)(i)) being introduced instead.

The purpose of including sunset clauses was to ensure the area would only be zoned at R20 for a certain period of time as an interim measure, to enable the City to conduct a review on housing and density issues across the City and form a more holistic approach to planning decisions about residential density within the City.

**History:**

<b>Date</b>	<b>Comment</b>
7 October 2003	Scheme Amendment No. 11 was gazetted which down coded an area in the Mount Hawthorn Precinct from R30 to R20 and the North Perth Precinct from R30/40 to R20, and imposed a sunset clause in the Town Planning Scheme No. 1 to limit the time the land would remain at R20.
14 July 2006 – 7 August 2012	Scheme Amendment No. 22, 24, 27, 28 and 31 were gazetted which modified the dates listed in the sunset clauses. In all these instances the Minister for Planning had requested modifications to the dates listed in the clauses rather than deleting the clauses.
23 May 2013	Scheme Amendment No. 34 was gazetted which modified the dates listed in the sunset clauses to 29 March 2015.
28 March 2014	Correspondence was received from the Eton Precinct Group reminding the City that during the course of TPS2 the dates may

Date	Comment
	expire. The Administration then recommended Council to initiate an amendment to extend the date one last time.
13 May 2014	Scheme Amendment No. 38 was initiated at the Ordinary Council Meeting.
29 July 2014 – 9 September 2014	Scheme Amendment No. 38 advertising period.

**DETAILS:**

The existing clauses in TPS1 subject to this amendment are:

20(4)(c)(ii) *'After 29 March 2015 development and subdivision of land coded R20 will be determined in accordance with the R30/40 code and shall be subject to all provisions relevant to that coding in the North Perth Precinct.'*

20(4)(h)(i) *'After 29 March 2015 development and subdivision of land coded R20 will be determined in accordance with the R30 code and shall be subject to all provisions relevant to that coding in the Mount Hawthorn Precinct.'*

The purpose of these provisions is to ensure development of land in these areas remains in line with the existing character of the area.

Following the formal advertising period no further changes to Scheme Amendment No. 38 are recommended.

**Draft Town Planning Scheme No. 2**

The advertising of draft TPS2 is now complete and will be presented to Council for endorsement at the end of October 2014. The Sunset Clause has not been included in TPS2 as it is proposed to change the zoning of the affected areas from R30/40 to R20, making the intent of the Sunset Clause permanent.

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Consultation Period: The City received consent on 1 July 2014 to advertise for a period of 42 days in accordance with Regulation 25 of the Town Planning Regulations 1967. The advertising period commenced 29 July 2014 and closed 9 September 2014.

Consultation Type: One consecutive advert in the local paper for 5 weeks, notice on the City's website, copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre, letters to the affected owners and other appropriate government and non-government agencies.

Position	Community	Government Authority	Total Submissions	Percentage
Support	68	2	70	81%
Object	8	-	8	9%
Not Stated	2	7	9	10%
	<b>78</b>	<b>9</b>	<b>87</b>	<b>100%</b>

**Summary of Submissions for Scheme Amendment No. 38: Objections and Support**

The main issues of objections and supports are listed below.

Submission – Objection Issues Raised	Officer Comment
The need to recognise State Government recommendations for more density in inner city areas	<p>The amendment is in line with the City's desire for the localities in Mount Hawthorn and North Perth as outlined in Vincent Vision 2024 to retain their existing character which would be potentially compromised by a higher density.</p> <p>The Minister for Planning and the WAPC have previously supported the extension of the existing sunset clause.</p>
The inability for properties to subdivide due to the retention of a lower density	<p>Increased density and affordable housing is supported in inner city areas and should be located where it has adequate access to amenities and public transport.</p> <p>The City considers the need to provide a diverse range of housing types to serve changing demographics and maintaining the R20 zoning in these areas is considered appropriate.</p> <p>The City's draft Local Planning Strategy supports high density along its major access routes. This allows the residential areas to retain their character.</p>
Inability to provide affordable housing options in the Vincent area. Higher density will permit more affordable housing	See comments above.
Time delay is frustrating	<p>The sunset clauses have created some uncertainty regarding the future density provisions for these localities.</p> <p>Scheme Amendment No. 38 is expected to be the final amendment required prior to Town Planning Scheme No. 2 being introduced which does not include the sunset clauses and recommends a permanent zoning of R20.</p> <p>Each previous scheme amendment which extended the date of the sunset clauses has had overwhelming support from the community (in excess of 80%).</p>
Request for individual rezoning	The City does not support spot rezonings.
Supportive maintaining the R20 code	Noted, this supports the City's position.
Maintain the character and heritage of the area	<p>Noted, this supports the City's position.</p> <p>The City's strategies provide opportunities for high density along its major access routes. This allows the residential areas to retain their character.</p>
Parking and congestion is a major concern and higher density will add to this problem	Noted.
A lower density will maintain privacy and avoid noise pollution and loss of amenity	Noted, this supports the City's position.
The effects on property values if clauses expire	Property values are not a planning consideration.

**LEGAL/POLICY:**

- Planning and Development Act 2005
- Town Planning Regulations 1967

The Minister for Planning determines the outcome of Scheme Amendments.

**RISK MANAGEMENT IMPLICATIONS:**

If this scheme amendment is not initiated, clauses 20(4)(c)(ii) and 20(4)(h)(i) will lapse and development in the area will be assessed in accordance with the R30/40 zone.

Increased development potential may change the character of the area before draft TPS2 is gazetted. This is inconsistent with the City's vision for the affected areas which is based on community expectations.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

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

**SUSTAINABILITY IMPLICATIONS:**

The following tables outline the applicable sustainability issues for this Scheme Amendment:

<b>ENVIRONMENTAL</b>
Lower density housing may reduce the likelihood of established trees being removed from private gardens.

<b>SOCIAL</b>
This amendment has been driven by the community to maintain a lower residential density for the area of Residential R20.

<b>ECONOMIC</b>
Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure for this matter will be incurred under the following budgeted item for Town Planning Scheme Amendments and Policies.

**COMMENTS:**

The purpose of Scheme Amendment No. 38 is to extend the dates of the 'sunset clauses' relating to the Eton Locality in Town Planning Scheme No. 1.

The extension will provide sufficient time for draft Town Planning Scheme No. 2 to come into effect which will permanently zone the area R20. This will maintain the status quo of the area and will work to protect the character of the Mount Hawthorn and North Perth precincts.

**CONCLUSION:**

Following the advertising period of the scheme amendment and the overwhelming support received from the community, it is recommended that Scheme Amendment No. 38 is adopted without modification.

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**9.1.6 Proposed Amendments to State Planning Policy No. 3.1 – Residential Design Codes – Submission to the Western Australian Planning Commission**

<b>Ward:</b>	Both	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC654
<b>Attachments:</b>	<a href="#">001</a> – Request for Comment and Schedule of Proposed Amendments		
<b>Tabled Items:</b>	N/A		
<b>Reporting Officer:</b>	J O’Keefe, Acting Manager Strategic Planning, Sustainability and Heritage Services T Elliott, Planning Officer		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council **SUPPORTS** the Western Australian Planning Commission’s proposed amendments to the Residential Design Codes, as contained in Attachment 001.

**PURPOSE OF REPORT:**

The purpose of this report is to brief Council on proposed amendments to State Planning Policy No. 3.1 – Residential Design Codes and for Council to endorse Administration’s proposed response to these changes.

**BACKGROUND:**

Date	Comment
24 June 2014	Council deferred initiating a Scheme Amendment due to the proposed amendment to the R-Codes relating to multiple dwelling in areas coded R35 and below.
22 July 2014	Council resolved to initiate Scheme Amendment No. 39 which makes ‘Multiple Dwellings’ an ‘SA’ use in Mount Hawthorn.
10 September 2014	Correspondence received from the Western Australian Planning Commission to comment on the proposed amendments to State Planning Policy No. 3.1 – Residential Design Codes. Submissions close on 14 November 2014.

**DETAILS:**

The Western Australian Planning Commission (WAPC) has recognised that there are a number of unintended and undesirable consequences resulting from the 2010 changes to the Residential Design Codes (R-Codes) permitting multiple dwellings in areas coded Residential R30.

These concerns were raised by the City of Vincent and a number of other Local Governments, in response to community concerns regarding multiple dwelling developments occurring in areas comprising predominantly single dwellings. Fundamentally, multiple dwelling developments are considered by the community to be out of character and having a detrimental impact on the overall amenity of these single residential areas.

The perceived detrimental impact of multiple dwellings in predominantly single residential areas relate to an increase in population, traffic, parking demand and development variations that affect surrounding properties.

To be mindful of these concerns and to avoid the potential for excessive local variations, the Statutory Planning Committee of the WAPC resolved to advertise amendments to the Residential Design Codes on 26 August 2014.

The correspondence received from the WAPC outlines all the proposed amendments and is included as Attachment 001 to this report.

### **Key Changes**

#### ***Multiple Dwellings R35 and below***

Currently multiple dwelling developments are permitted in areas coded R30 and R35 with the result that 'plot ratio' calculations rather than 'minimum site area per dwelling' calculations apply. 'Plot ratio' calculations would allow a greater number of units to be permitted on a site than 'minimum site area per dwelling' calculations.

While the proposed amendment is not to ban multiple dwellings in R30/R35 areas it will revert back to a 'minimum site area per dwelling' calculation rather than a 'plot ratio' calculation. This means that the overall number of dwellings would not differ if grouped dwellings or multiple dwellings were proposed. This removes the incentive for developers to propose multiple dwellings in lower coded areas.

The amendment may also encourage a built form outcome that would resemble existing single or grouped dwellings.

Given the recent difficulties the City has experienced in managing community expectations for multiple dwelling developments in land zoned R30 and below, the proposed amendment is very welcome as it will reduce some of the local issues relating to dwelling yield calculations and perceived or actual impacts on the surrounding community.

These changes will also complement the recently initiated Scheme Amendment No. 39 which proposes to alter the use class Multiple Dwellings, in the City's Town Planning Scheme No. 1 zone table, from 'P' permitted use to an 'SA' use in Mount Hawthorn. The advertising of Scheme Amendment No. 39 closed on 8 October 2014 and a report will be presented to Council in November outlining the outcomes of the formal consultation period.

#### ***Parking for Multiple Dwellings***

The R-Codes currently calculate the car parking required for multiple dwellings based on the size of the dwelling and its proximity to public transport.

Small dwellings (<75m<sup>2</sup> or 1 bedroom) located within 800 metres of a rail station or 250 metres of a bus route are required to provide 0.75 parking spaces.

The WAPC is proposing to change the minimum requirement for car parking spaces in multiple dwellings from 0.75 to 1 which increases based on the size of the dwelling and its proximity to public transport. The proposal also amends the minimum dwelling size categories from <75m<sup>2</sup> to <110m<sup>2</sup> ensuring all proposed multiple dwellings are provided with a minimum of one car parking space.

Although the City supports reducing car dependency the Administration supports this amendment as it aligns with realistic market expectations.

#### ***Vehicular Access for large sites***

The R-Codes currently require a minimum width of 4 metres for vehicle access to sites which contain five or more dwellings. The WAPC recommends including two additional 'deemed-to-comply' criterion to adequately assess vehicular access for proposals which have the potential to be subdivided to create between 7 to 20 lots; and 20 or more lots. The new provisions will ensure adequate vehicular access for sites with large potential to subdivide.

Administration supports this component of the amendment as it allows large developments to maintain a single residential character whilst appropriately managing safe access.

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**LEGAL/POLICY:**

- State Planning Policy No. 3.1 – Residential Design Codes;
- Town Planning Scheme No. 1; and
- City's Planning and Building Policy Manual.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The amendments to the R-Codes proposed by the WAPC are supported by the City's administration and will improve the built outcomes of Multiple Dwellings in lower coded residential areas.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2013-2017* – Objective 1 states:

*“Natural and Built Environment:*

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
  - 1.1.1 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision;*
  - 1.1.2 *Enhance and maintain the character and heritage of the City.”*

**SUSTAINABILITY IMPLICATIONS:**

It is considered that the proposed amendments to the R-Codes improve development outcomes and therefore improve the sustainability of the built environment.

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure for this matter will be paid from the operating budget: Town Planning Scheme Amendment Policies.

**COMMENT:**

State Planning Policy No. 3.1 – Residential Design Codes provides a comprehensive basis for the control of residential development throughout Western Australia. The amendments proposed are in response to local governments experiencing difficulty managing proposals of multiple dwellings in medium density areas. The proposed amendments are considered to improve development outcomes of multiple dwelling developments and are therefore supported by the Administration.

**CONCLUSION:**

Administration supports the proposed changes as they assist in maintaining the character of residential areas and improve the built form outcomes of multiple dwelling developments. The Administration recommends that the submission to the Western Australian Planning Commission be endorsed by Council as shown in Attachment 001.

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**9.1.7 LATE ITEM: Proposed Scheme Amendment – Multiple Dwelling Prohibition in R30 coded areas of Mount Hawthorn**

**To be issued prior to the meeting.**

## 9.2 TECHNICAL SERVICES

### 9.2.1 Audit of the City's Usage of Parks and Reserves

<b>Ward:</b>	Both	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1491
<b>Attachments:</b>	<a href="#">001</a> – Membership Data <a href="#">002</a> – Lease Arrangements <a href="#">003</a> – Use of Reserves Schedule		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	J van den Bok, Manager Parks and Property Services R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

#### OFFICER RECOMMENDATION:

That Council:

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

the reintroduction of fees for junior sports within the City of Vincent where less than 50% of club members reside in the City of Vincent; and
3. **LISTS**

the proposed fee for junior sports referred to in 2 above for consideration in the 2015/2016 draft budget.

#### PURPOSE OF REPORT:

To provide Council with details on the usage of Council parks and reserves, accurate club membership data and lease arrangements of all active or passive areas within the City.

#### BACKGROUND:

At the Ordinary Meeting held on 24 June 2014, a Notice of Motion was adopted requesting that an audit be undertaken of the City's active reserves was adopted (as follows):

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

1. *Current usage by all sporting clubs, with detailed information on schedules for 2014;*
2. *Formal request to all sporting clubs to provide accurate membership data, including current number of City of Vincent members;*
3. *Current lease arrangements by all sporting clubs for reserve and park facilities and end date for leases; and*

4. *That this report should be provided no later to Council than by September 2014; and*
5. *an audit of all leases over green space."*

**DETAILS:**

**Sporting Clubs - Use of Reserves (refer attachment 003):**

An updated spreadsheet identifying training and matchplay schedules for each club for the 2014 winter and upcoming summer season is attached.

Officer's comments:

A letter is forwarded to all sporting clubs (that have used our facilities during the previous year) one (1) to two (2) months prior to the commencement of the summer/winter season requesting they submit their intention to use a reserve and what days and times are required.

Once received, these are assessed by the Manager Parks & Property Services together with the Halls & Reserves Booking Officer and allocations made based on clubs who have leases, historical long-term use of a reserve and availability.

It should be noted as highlighted when presented at a Council Forum some eighteen (18) months ago, that the majority of reserves are at their peak in terms of usage. Additional clubs and training schedules may be allocated with the installation of training lights at Charles Veyard Reserve and Britannia Reserve.

**Sporting Clubs - Membership Data (refer attachment 001):**

All sporting clubs have now provided accurate membership data as outlined in the attached spreadsheet.

Officer's comments:

Sporting clubs were requested to provide accurate membership data which included the number of teams, number of members and a comparison of those members living or not living within the City of Vincent.

Clubs have provided member details in relation to the suburb in which they reside; however, this information is not specified in detail on the spreadsheet as members can be spread over the entire metropolitan area. For example the 4,698 members of the WA Junior rugby league using Britannia Reserve come from Two Rocks in the north and as far as Busselton in the south.

**Sporting Clubs - Lease Arrangements (refer attachment 002):**

An updated property lease index is attached highlighting the current lease period and any optional period provided.

Officer's comments:

The Corporate Services Directorate manage leases within the City and have updated and provided the attached listing for all properties that are leased. The current lease period is outlined together with any optional period previously approved.

**Green Space/POS - Lease Arrangements (refer attachment 002):**

Officer's comments:

Only one (1) area of passive green space (a portion of Brentham Street Reserve) is currently leased out to the Aranmore Catholic College (St Bridget's Convent of Mercy) as highlighted on the attachment.

**Fees for Junior Sports Persons:**

Fees and charges for all Council's services and facilities are reviewed on an annual basis in May/June of each year, for adoption in the Annual Budget.

Fees for Junior Sports Persons were the subject of a review in June 1998 when the then Council significantly reduced fees levied from an average of \$15.20 per person per season to a maximum of \$5 per season.

At its Ordinary Meeting held on 22 March 1999 the Council made the following decision:

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

As per Council Policy No 2.1.7 *Guidelines and Policy Procedure for Parks, Reserves and Hall Facilities-Conditions of Hire and Use* – Section 3 states:

*"3.2 Parks and reserves will be allocated free of charge to:*

- (b) "Junior Sports" – for clubs located within the City (adopted by Council 22 March 1999)"*

Officer's comments

In view of the ongoing intensified use of the City's facilities and subsequent higher maintenance costs, the charging of juniors has been discussed at length for some time.

Other local governments charge juniors for use of their facilities; however, there is no general consistency in rates or formulas of charges. Some local governments charge a flat per-person rate, others charge 50% of the adult rate and others have a flat seasonal charge.

**CONSULTATION/ADVERTISING:**

At the commencement of each season sporting clubs are requested to provide a program of proposed training and matchplay requirements. Allocations for reserve use are then made based on clubs having lease arrangements currently in place, historical use and availability.

At the larger sporting grounds such as Forrest Park, Les Lilleyman Reserve and Britannia Reserve a noticeboard has been installed which outlines use of the reserve for the information of the general community.

**LEGAL/POLICY:**

Council Policy No 2.1.7 *Guidelines and Policy Procedure for Parks, Reserves and Hall Facilities-Conditions of Hire and Use* – Section 3 states:

*"3.2 Parks and reserves will be allocated free of charge to:*

- (b) "Junior Sports" – for clubs located within the City (adopted by Council 22 March 1999)"*

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

As noted above it is imperative that the use of the active sporting reserves is carefully monitored in view that the turf surfaces remain sustainable throughout the year.

**FINANCIAL/BUDGET IMPLICATIONS:**

The following table identifies which clubs using the City's facilities have less than 50% of their membership residing within the City of Vincent. The rates indicated below are approximate revenue amounts the City would receive if it were to charge juniors a flat rate of \$5 or \$10 per junior. It should be noted that the current senior rate per person per season is \$102 and on the following numbers (if juniors were charged the same rate) this would equate to approximately \$560,000 per season.

<b>Junior Clubs with under 50% City of Vincent Membership:</b>			
<b>Club</b>	<b>No. of Juniors</b>	<b>Possible Reserve &amp; Change rooms Junior rate: \$5.00 per person</b>	<b>Possible Reserve &amp; Change rooms Seniors rate: \$10.00 per person</b>
Perth Soccer Club	314	\$1,570	\$3,140
Floreat Athena Soccer Club	150	\$750	\$1,500
WA Junior Rugby	4,500	\$22,500	\$45,000
Modernians Hockey Club	320	\$1,600	\$3,200
Leederville Junior Cricket Club	200	\$1,000	\$2,000
Tuart Hill Cricket Club	22	\$110	\$220
<b>Possible Total Revenue per Season</b>		<b>\$27,530</b>	<b>\$55,060</b>

**COMMENTS:**

In view of the ongoing intensified use of the City's facilities and subsequent higher maintenance costs, the charging of juniors has been discussed at length for some time it is recommended that Council approve in principle the reintroduction of fees for junior sports within the City of Vincent where less than 50% of club members reside in the City of Vincent. It is further recommended that the matter to be listed for consideration in the 2015/2016 draft budget.

**9.2.2 Charles Veryard Reserve Sports lighting upgrade – Consideration of Submissions**

<b>Ward:</b>	North	<b>Date:</b>	9 October 2014
<b>Precinct:</b>	Smith's Lake (6)	<b>File Ref:</b>	SC531
<b>Attachments:</b>	<a href="#">001</a> – Summary of Comments <a href="#">002</a> – Light Design <a href="#">003</a> - Plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks & Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

**That Council:**

1. **CONSIDERS** the submissions received in relation to the proposed sports lighting upgrade at Charles Veryard Reserve North Perth, as outlined in attachment 001;
2. **AUTHORISES** the Chief Executive Officer to call tenders from suitably qualified electrical contractors to supply and install that lighting in readiness for the 2015 winter season.
3. **ADVISES** 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 process if decided necessary by the Chief Executive Officer (CEO), depending on the tenders received and having regard to the existing delegated authority granted to the CEO.

**PURPOSE OF REPORT:**

To provide Council with the results of the recent community consultation in relation to the proposed sports lighting 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 Council's 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;
3. *APPROVES BY AN ABSOLUTE MAJORITY* to reallocate an amount of;
  - 3.1 \$18,000 from the 2013/2014 'Forrest Park Fencing Installation Budget' for costs associated with Cardinals Junior Football Club's co-existence with Tuart Hill Cricket Club and Modernians Hockey Club at Charles Veryard Reserve for the winter season commencing 12 April 2014; and
  - 3.2 \$60,000 from the 2013/2014 'Birdwood Square Floodlighting Budget' for the proposed Charles Veryard Reserve Lighting Upgrade;

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."*

**DETAILS:**

**Lease:**

A separate report on this matter is included in the current agenda, refer item No. 9.3.5.

**Lighting:**

Officers have been working with an electrical consultant over the past six (6) months in developing plans/specifications for the upgrade of the sports lighting at Charles Veryard Reserve. The proposed works have also involved close liaison with Western Power who have had to upgrade the power supply to the main switchboard so that enough power is available to run the lights and other associated equipment within the reserve and amenity building.

The proposed light poles will need to be approximately thirty (30) metres in height (as per attachment 002) to ensure there is even lighting spread across the eastern section of the oval and to reduce any horizontal luminance and light spill in accordance with Australian Standards to minimise issues for surrounding residents (as has previously been the case where smaller poles have been used).

The proposed positioning of the light poles was difficult due to the field dimensions of the three (3) codes of sport namely cricket, hockey and Australian Rules football.

A number of meetings were held with Modernians Hockey Club, Tuart Hill Cricket Club and Cardinals Junior Football Club mainly to progress the clubroom upgrade where the oval lighting project was also discussed/debated.

Note: Both the cricket club and junior football club are more than happy with the proposal subject to the pole locations not reducing their current oval footprint.

The hockey club who currently train only one (1) night per week raised concerns with regard to the proposed lighting levels and whilst recent testing identified that their existing lighting does not comply with the Australian Standards they are not convinced that the proposed lighting levels of 50 Lux will be adequate. It has therefore been agreed that their three (3) existing light poles will remain in place until after the lighting installation and they may require removal at a later stage following assessment of their structural integrity.

**Officers Comments:**

Whilst there are still some minor reconfigurations of the lighting layout required to ensure light pole locations do not encroach within five (5) metres of the oval/field boundaries, the preliminary works have been completed and the lighting plans/specifications have almost been finalised and ready for tender.

**Community Consultation:**

On 29 August 2014, 200 consultation packs were distributed around Charles Veryard Reserve with twelve (12) responses received at the close of consultation with four (4) late submissions also received. All submissions received have been included.

The results of the consultation are summarised below and the comments received are outlined in Attachment 001:

IN FAVOUR: 9  
AGAINST: 3  
NEITHER SUPPORT NOR OBJECT: 4

Officer Comments:

The majority of respondents are in favour of this proposal. Those not supporting the proposal have outlined that their City views may be restricted, numbers using the reserve will increase and that lighting will increase the yelling and screaming emanating from the reserve.

Charles Veryard Reserve is a significantly under-utilised active sporting reserve in comparison with other active sporting reserves within the City and of course additional use is going to change the status quo; however, not excessively and only for a short period each week.

Concerns in regard to light intrusion are noted and with installation of the lighting to Australian Standards this will ensure light spill is minimal. In the unlikely event that further issues are identified following the installation, shades are available and have been installed at other venues such as Medibank Stadium to overcome any issues.

Training days/times have not been allocated or discussed at length at this point; however, it is likely with two (2) winter season clubs playing at the reserve that training will occur for at least four (4) nights per week and the lights will be turned off by around 8pm.

No evening fixtures or night games are proposed to be held at Charles Veryard Reserve, although it should be noted that the Tuart Hill Cricket Club have previously held night games at the reserve.

**CONSULTATION/ADVERTISING:**

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

**LEGAL/POLICY:**

As the value of the work is expected to be over \$100,000 the tender for the lighting will need to be advertised and as the estimated price is expected to be less than \$250,000 the tender could be approved by the CEO under delegated authority.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The sports lighting has been designed to Australian Standards and will significantly improve the safety of all park users during the winter sports season.

**STRATEGIC IMPLICATIONS:**

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

*"Natural and Built Environment*

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

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

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

A pre-budget estimate of \$230,000 has been provided by the electrical consultant and an allocation of \$239,212 has been included in the City's 2014/15 budget to undertake this work.

**COMMENTS:**

It is recommended that Council approve the proposed lighting details and that tenders be called as soon as possible so that the project is ready for completion prior to 1 April 2015, which is the commencement of the winter sports season.

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**9.2.3 Traffic Related Matters Considered by the City's Integrated Transport Advisory Group (ITAG) August 2014 – Tasman, Federation and Egina Streets, Mount Hawthorn**

<b>Ward:</b>	North	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Mount Hawthorn (1,)	<b>File Ref:</b>	S0228
<b>Attachments:</b>	<a href="#">001</a> – 3166-CP-01 - Proposed Median Islands Road Widening <a href="#">002</a> – 3172-CP-01 - Location of Proposed Low Profile Speed Humps <a href="#">003</a> – Residents' Submission to ITAG		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, Manager Asset & Design Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

**That Council:**

1. **NOTES that:**
  - 1.1 the Tasman, Federation and Egina Streets matter was considered by the Integrated Transport Advisory Group (ITAG) at its meeting held on 27 August 2014; and
  - 1.2 installation of upgraded/enhanced 'No Stopping' line-marking and stencilling at the intersections of the aforementioned streets has been implemented and;
  - 1.3 residents have been requested not to park on the verge within ten (10) metres of the intersection to improve sight distances;
2. **APPROVES IN PRINCIPLE** the installation of low profile speed humps in Tasman, Federation and Egina Streets, Mount Hawthorn, as shown in Attachment 002 (Drawing No. 3172-CP-01);
4. **CONSULTS** with affected residents in Tasman, Federation and Egina Streets regarding the proposal, as outlined in 2 above, in accordance with Community Consultation Policy No. 4.1.5; and
5. **RECEIVES** a further report at the conclusion of the formal consultation period.

**PURPOSE OF REPORT:**

To update Council of the outcome of a matter considered by the Integrated Transport Advisory ITAG meeting of 27 August 2014.

**BACKGROUND:**

In mid-August 2014, the City received a detailed submission (Attachment 003) from a resident of Federation Street, Mount Hawthorn, on behalf of a number of like-minded residents, in respect of their concerns about road safety in the immediate area but specifically the intersections of Tasman Street with Federation and Egina Streets.

The submission, and a 57+ signature petition, which is yet to be received, were a direct result of a traffic accident at the intersection of Tasman and Egina Streets that occurred on the morning of 1 August 2014 requiring emergency services attendance.

**DETAILS:**

**ITAG Meeting – 27 August 2014:**

The Integrated Transport Advisory Group meeting was attended by several residents of Egina and Federation Streets. Essentially they were requesting that the City implement measures to improve the safety of the aforementioned intersections and to consider ways to deter motorists from rat running through the area.

The primary issue concerned motorists traveling down Tasman Street not stopping at, or not seeing, the *stop signs* at the intersection of Egina Street. On 1 August 2014 there was an accident at the intersection, of which the residents had CCTV footage, illustrating their point. A vehicle travelling east went through the *stop sign* at speed and hit a south bound vehicle in Egina Street, resulting in major property damage and requiring emergency services attendance.

They had similar concerns in respect of intersection of Tasman and Federation Streets where the stop control is on the Federation Street north-south leg

The residents also raised the issue of traffic volumes and *rat running* as motorists try to avoid the traffic signals and congestion at the intersection of Scarborough Beach Road, Main Street, Brady Street and Green Street, particularly in the morning peak period, but also to a lesser extent, the afternoon peak period.

ITAG was advised that a number of measures had already been implemented to improve the safety at both locations including clearing vegetation and having additional stop signs installed so that there is a stop sign on either side of the road upon approach.

Note: The signage standard for the intersections of two Access Roads or an Access Road and a Distributor Road (A, B and Local) is a single stop sign on the left hand side and no lead-in continuous white line

Further, the reported accidents statistics for the intersections for the five (5) year period; 1 January 2009 to 31 December 2013 (the current reporting period), showed that for Federation and Tasman Streets there was one (1) accident (2011) and for Egina and Tasman Streets there were three (3); (2010, 2011 and 2012).

As a measure of severity of the accidents, at Egina and Tasman Streets, one resulted in a hospital admission while the other two (2) were graded as major property (i.e. vehicle) damage. Obviously the accident of the 1 August 2014 was not included in this data.

The single reported accident at Federation and Tasman Streets resulted in a driver or passenger (not specified) requiring medical treatment. As accidents requiring medical/hospital treatment are rated higher than property damage in severity it should be noted that a degree of property damage, usually major, also occurs.

The other significant factor when considering the intersections, and possible treatments, is that Tasman and Egina Streets form part of the No.15 bus route. As a consequence there is insufficient room to install a roundabout, as was suggested by the residents at the intersection of Egina and Tasman Streets that a bus would be able to negotiate.

Note: The roundabout at Egina and Berryman Street intersection is not a problem for the bus as it's a straight through movement not a 90 degree turn as would be required at Tasman and Egina Streets. This was implemented several years ago as part of traffic management improvements in Egina Street.

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The residents also suggested installing median islands in Federation Street, on approach to Tasman Street and in Tasman Street, on approach to Egina Street. A 'rough' sketch showing the islands was tabled at the meeting on the understanding that it was dependent upon a Transperth bus being able to 'get around' the corner at the Egina and Tasman Streets intersection and the single unit truck (i.e. rubbish truck) around the Tasman and Federation Streets intersection and that major services would not limit any subsequent works.

On the basis that no road widening was required an estimated cost of \$3,000 to \$4,000 per island was suggested to the ITAG, or \$12,000 to \$16,000 for both intersections.

**Traffic Data, Functional Road Hierarchy & Current Road Environment:**

Tasman Street is classified as an Access Road under the City's Functional Road Hierarchy while Egina Street is a Local Distributor Road. Technically Tasman Street can carry up to 3,000 vehicles per day (vpd) and Egina Street 6,000 vpd.

Tasman Street, from Egina Street to Brady Street is approximately a 430m long straight with a consistent grade down towards Brady Street and no traffic calming devices.

Egina Street is relatively level at Tasman Street with a grade down towards Purslowe Street and Berryman Street. There is a raised plateau at the Purslowe Street intersection and roundabout at Berryman Street intersection.

In respect of accidents, and as indicated previously, for reporting period 1 January 2009 to 31 December 2013 there were three (3) reported accidents at the intersection of Tasman and Egina Streets, and one (1) at Federation and Tasman Streets.

Neither location qualifies as a 'Black Spot' (which requires a minimum of five (5) reported accidents over five (5) years) and is therefore not eligible for State funding.

The accident that precipitated the resident's submission, occurred on 1 August 2014 with severity having been classified as 'major property damage'.

The Transperth No. 15 bus service traverses Tasman Street between Brady Street and Egina Street, and Egina Street south of Tasman Street.

Traffic data for the respective streets is as per the following tables.

<b>Tasman Street</b>	<b>85% speed</b>	<b>Weekday Volume</b>	<b>% heavy vehicles</b>
Brady St to Federation St	57.2 kph	712	16.8*
Federation St to Egina St	49.3 kph	716	14.7
Egina St to Buxton St	40.3 kph	363	2.7

\*Predominately Transperth buses.

<b>Egina Street</b>	<b>85% speed</b>	<b>Volume</b>	<b>% heavy vehicles</b>
Purslowe St to Tasman St	46.8 kph	1233	8.1*

\*Predominately Transperth buses.



Transperth bus turning into Egina Street from Tasman Street.

**Concept Plan 3166-CP-01:**

As a result of the ITAG meeting, a preliminary design for the proposed median islands was prepared using 'wheel tracking' software that accurately depicts the turning path of a nominated vehicle.

The resultant diagram (refer Attachment 001), demonstrates that both intersections would need to be widened with the islands space, to comply with relevant road design standards.

The consequence of the widening being that the costs of any works will increase significantly. Typically to widen and construct median islands is in the order of \$30,000 per intersection. Further, the widening would 'eat' into verges of the adjacent properties, of which the residents are currently unaware, and may not support. This would have a greater impact upon the properties on the corner of Egina Street. In particular in Tasman Street on the western side of Egina Street, where the proposed widening is more onerous because of the bus turning left into Tasman Street west bound and right out of Tasman Street into Egina Street south bound, requiring a larger turning radius. Further, there are two mature and healthy street trees on the northern side that the concept design avoids.

**Immediate and/or Suggested Improvements:**

Centerlines on Approach to Stop Control Intersections.

An immediate improvement, as suggested at the ITAG meeting, in respect of the Tasman and Egina Streets intersection, was the installation of a 'lead in centerlines' on approach to the stop lines. The idea being that it reinforces or emphasises the change in the road environment and that visually your eye is drawn to the stop line ahead.

As can be seen from the aerial and site photographs below the same already existed in Federation Street on approach to Tasman Street.



1. Aerial view of Tasman and Federation Streets intersection.



2. Federation and Tasman Streets intersection – centre-lines on approach to Tasman Street with stop signs either side

Prior to October 2014, the same did not apply in Tasman Street on approach to Egina Street. However as of early October a centerline on approach was installed as per the site photograph below.



3. Tasman and Egina Streets intersection – prior to installation of centre-lines on approach to Egina Street.



4. Tasman and Egina Streets intersection – centre-lines on approach to Egina Street with stop signs either side

Increased No Stopping Zones in 'yellow' at Intersections:

The residents, in their submission, and as stressed by those who attended the meeting, have requested increased 'No Stopping' zones at the aforementioned intersections. Recent site inspections indicate that this would be most beneficial at the Tasman and Egina Streets intersection where a combination of on-road parking, verge parking and the large peppermint trees results in restricted sight distance as illustrated in the photograph below.

Therefore it is proposed to install yellow 'No Stopping' line-marking and stenciling at both intersections as currently common sense does not always apply, i.e. motorist parking too close to the intersection.



5. Egina Street south towards Tasman Street.

Banning Verge Parking Immediately Adjacent Intersections:

This issue resonates with residents throughout the City. However it is not as easy placing a blanket ban on verge parking if the adjacent residents have no access to on-road parking as it's typically also a 'No Stopping' zone. That said, the example highlighted in the residents submission, a large 4WD vehicle regularly parks on the verge in Tasman Street causing sight distance issues for south bound motorists in Federation Street, could easily be accommodated on the Federation Street verge without impinging on the residents' amenity (see photograph 3 above). The standards require that there should be no parking within 10m of the intersection, i.e. the kerb line of the intersecting road, albeit be it on road or verge.

Therefore it is proposed that rather than impose an immediate restriction that the City write the residents of the properties immediately adjacent both intersections seeking their co-operation not to park on their verge within the critical sight distance zone.

**Suggested Improvements/Modifications Requiring Public Consultation:**

As discussed above the typical cost to widen an intersection and install median islands, on two (2) legs only (assuming no service relocations) is in the order of \$30,000.

Further, the accidents statistics do not support major modifications to either intersection, particularly the Tasman and Federation Streets intersection.

However, the residents also highlighted speed as issue in Tasman Street with data supporting their concerns for the section between Federation and Brady Streets (85% speed 57.2kph).

Therefore it proposed that relatively simple, and cost effective, traffic calming scheme be considered.

A series of low profile, bus friendly, speed humps be installed in Tasman Street between Egina and Brady Streets. A low profile speed hump in Federation Street either side of Tasman Street, in-lieu of median islands, and a low profile speed hump in Egina Street north side of Tasman Street and one in Tasman Street, east side of Egina Street, as shown on the plan included as Attachment 002.

While the proposed speed humps are 'bus friendly' it is not recommended that they be installed in Tasman Street on the western side of Egina Street, or in Egina Street, southern side of Tasman Street, as it would make the bus unstable through the turning movement as it's a combination of vertical and horizontal displacement (i.e. a rolling movement while turning).

The estimate cost of six (6) speed humps is in the order of \$15,000, which is similar to the initial estimate for installing the proposed islands without the widening.

When combined with the recent minor improvements, centrelines on approach to Egina Street and tree pruning in Tasman Street. Past improvements, stop signs on both sides of the road on approach to the aforementioned intersections. Proposed improvements, speed humps, upgraded 'No Stopping' line-marking and stencilling and writing to the residents asking that they do not park on the verge too close to the intersection addresses the majority of residents concerns.

**CONSULTATION/ADVERTISING:**

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

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

There is no specific funds allocated for this work and pending the outcome of the community consultation, a further recommendation will be made to Council with regards to a possible funding scenario.

**COMMENTS:**

As has been recently highlighted in the press traffic speed, driver inattention and rat running is becoming a major concern with residents, exacerbated by ever increasing vehicles numbers. This has resulted in residents contacting the City and requesting that investigations be undertaken in various streets due to the perceived increase in the volume and speed of vehicles. It is therefore requested that the officer recommendation be supported.

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### 9.3 CORPORATE SERVICES

#### 9.3.1 Investment Report as at 30 September 2014

<b>Ward:</b>	Both	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1530
<b>Attachments:</b>	<a href="#">001</a> – Investment Report		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	B Tan, Manager Financial Services; B Wong, Accountant; N Makwana, Accounting Officer		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

#### OFFICER RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 30 September 2014 as detailed in Attachment 001.

#### PURPOSE OF REPORT:

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

#### BACKGROUND:

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

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

#### DETAILS:

Total Investments for the period ended 30 September 2014 were \$22,111,000 compared with \$23,111,000 at 31 August 2014. At 30 September 2013, \$20,411,000 was invested.

Investment comparison table:

	2013-2014	2014-2015
July	\$9,611,000	\$11,311,000
August	\$21,411,000	\$23,111,000
September	\$20,411,000	\$22,111,000

Total accrued interest earned on Investments as at 30 September 2014:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$292,600	\$72,260	\$74,830	25.57
Reserve	\$292,300	\$64,719	\$71,142	24.34

#### CONSULTATION/ADVERTISING:

Not applicable.

**LEGAL/POLICY:**

Funds are invested in accordance with the City's Investment Policy 1.2.4.

**RISK MANAGEMENT IMPLICATIONS:**

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

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

**COMMENT:**

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

The funds invested have reduced from previous period due to payments to creditors.

The report comprises of:

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

**9.3.2 Authorisation of Expenditure for the Period 1 – 30 September 2014**

<b>Ward:</b>	Both	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC347
<b>Attachments:</b>	<a href="#">001</a> – Creditors Report <a href="#">002</a> – Credit Card Report		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	O Dedic, Accounts Payable Officer; B Tan, Manager Financial Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council **CONFIRMS** the;

1. **Schedule of Accounts for the period 1 September – 30 September 2014 and the list of payments including credit cards;**
2. **direct lodgement of payroll payments to the personal bank account of employees;**
3. **direct lodgement of PAYG taxes to the Australian Taxation Office;**
4. **direct lodgement of Child Support to the Australian Taxation Office;**
5. **direct lodgement of creditors payments to the individual bank accounts of creditors; and**
6. **direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;**

paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 as shown in Attachments 001 and 002.

**DECLARATION OF INTEREST**

<b>Members/Officers</b>	<b>Voucher</b>	<b>Extent of Interest</b>
Nil.		

**PURPOSE OF REPORT:**

To present to Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 September – 30 September 2014. This report also includes corporate credit card transactions for the month of September. Each subsequent monthly financial report to Council will include this information.

**BACKGROUND:**

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

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

**DETAILS:**

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

<b>FUND</b>	<b>CHEQUE NUMBERS/ PAY PERIOD</b>	<b>AMOUNT</b>
<b>Municipal Account</b>		
Automatic Cheques	76790 - 76933	\$347,417.19
Cancelled Cheques	76838, 76841, 76842	
Transfer of Creditors by EFT Batch	1703 - 1710	\$4,337,525.05
Transfer of PAYG Tax by EFT	September 2014	\$295,728.91
Transfer of GST by EFT	September 2014	
Transfer of Child Support by EFT	September 2014	\$1,375.53
Transfer of Superannuation by EFT:		
• City of Perth	September 2014	\$26,643.97
• Local Government	September 2014	\$130,660.37
<b>Total</b>		<b>\$5,139,351.02</b>
<b>Bank Charges &amp; Other Direct Debits</b>		
Bank Charges – CBA		\$35,353.35
Lease Fees		\$11,163.14
Corporate MasterCards		\$9,122.13
Loan Repayment		\$162,968.63
Rejection fees		\$5.00
<b>Total Bank Charges &amp; Other Direct Debits</b>		<b>\$218,612.25</b>
<b>Less GST effect on Advance Account</b>		<b>0.00</b>
<b>Total Payments</b>		<b>\$5,357,963.27</b>

**LEGAL POLICY:**

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

**RISK MANAGEMENT IMPLICATIONS:**

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

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**STRATEGIC IMPLICATIONS:**

Strategic Plan 2013-2017:

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

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

**SUSTAINABILITY IMPLICATIONS:**

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

**ADVERTISING/CONSULTATION:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

**COMMENT:**

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

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

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**9.3.3 Mt Hawthorn Community Church – Licence for the use of a portion of the Mt Hawthorn Community Centre Lesser Hall**

<b>Ward:</b>	North	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Mt Hawthorn (1)	<b>File Ref:</b>	SC351/PR29213
<b>Attachments:</b>	<a href="#">001</a> – Proposed Licensed Area <a href="#">002</a> – Letter from Mt Hawthorn Community Church		
<b>Tabled Items:</b>			
<b>Reporting Officer:</b>	K Davies, Executive Secretary Corporate Services		
<b>Responsible Officer</b>	M Rootsey Director Corporate Services		

**OFFICER RECOMMENDATION:**

**That Council:**

1. **APPROVES** the request from the Mount Hawthorn Community Church for a licence to use a meeting room in the Mount Hawthorn Community Centre Lesser Hall (as per Attachment 001) effective from 1 January 2015 as follows:
  - 1.1 **Term:** five (5) years;
  - 1.2 **Rent:** \$1,650 per annum inc GST indexed to CPI;
  - 1.3 **Time of Use:** Monday to Sunday  
8.00am – 12.00 midnight; and
  
2. **AUTHORISES** a licence to be prepared by the City’s Administration effective from 1 January 2015, subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

**PURPOSE OF REPORT:**

The purpose of the report is to seek approval from Council to approve a licence to the Mt Hawthorn Community Church to continue using a meeting room in the Mt Hawthorn Community Centre Lesser Hall.

**BACKGROUND:**

The Mt Hawthorn Community Church has used the office space of the Mt Hawthorn Community Centre Lesser Hall since August 1999. The space is used by the Church to conduct counselling sessions. The current licence period expires on 31 December 2014.

The Church also hires the Lesser Hall on a regular basis and runs a music and movement programme for parents and young children called Wiggly Woo. The lease space also allows the Church to store equipment for these programmes.

**DETAILS:**

The Mt Hawthorn Community Church has written to the City requesting a new licence for a period of five years (as per Attachment 002).

During the fifteen year period the Mt Hawthorn Community Church has been utilising the office space they have ensured that the premises is well maintained and kept clean at all times.

It is recommended that they be allowed to continue to use the office space under a five (5) year licence agreement.

It is intended that the Church will be able operate at the Mt Hawthorn Community Centre Lesser Hall Monday to Sunday from 8.00 am to 12.00 midnight, as per the current arrangement.

**CONSULTATION/ADVERTISING:**

Not Applicable.

**LEGAL/POLICY:**

City of Vincent Policy 1.2.1 – Policy Statement:

1. Any new lease granted by the Council shall usually be limited to a five (5) year period, and any option to renew shall usually be limited to no more than a ten (10) year period.
2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.

**RISK MANAGEMENT IMPLICATIONS:**

**Low** This is a responsible group providing a beneficial service to the Community.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2013-2023:

*2.1.3 Develop business strategies that reduce reliance on rates revenue*

- (c) Continue to review leases and commercial contracts to ensure the best return for the City, whilst being cognisant of its community service obligations.*

**SUSTAINABILITY IMPLICATIONS:**

Not Applicable

**FINANCIAL/BUDGET IMPLICATIONS:**

The current annual licence payment for the Mt Hawthorn Community Church is \$1,646.94 per annum GST inclusive and is linked to the annual Consumer Price Index (CPI).

**COMMENTS:**

The Mt Hawthorn Community Church have been good tenants for the duration of their licence period and the Administration supports this service which is beneficial to community and recommends that a licence be provided to this group for a five (5) year period.

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**9.3.4 Lease for Loton Park Tennis Club – Lease of Premises Corner Bulwer and Lord Streets, Perth**

<b>Ward:</b>	North	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	SC351/SC623
<b>Attachments:</b>	<a href="#">001</a> – Map of proposed leased area		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	K Davies, Executive Secretary Corporate Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council **APPROVES** a lease being granted to the Loton Park Tennis Club from 1 October 2014 to 30 September 2019 with a further five (5) year option over the premises located at the corner of Bulwer and Lord Streets, Perth as per Attachment 001, as follows:

<b>Term:</b>	<b>five (5) years plus five (5) year option;</b>
<b>Rent:</b>	<b>\$1.00 per annum</b>
<b>Outgoings:</b>	<b>to be paid by the Lessee;</b>
<b>Rates &amp; Taxes:</b>	<b>to be paid by the Lessee; and</b>
<b>Permitted Use:</b>	<b>Sporting Facility.</b>

**subject to final satisfactory negotiations being carried out by the Chief Executive Officer.**

**PURPOSE OF REPORT:**

The purpose of this report is to seek approval from Council to approve a lease to the Loton Park Tennis Club to continue leasing the premises located at the corner of Bulwer and Lord Streets, Perth.

**BACKGROUND:**

Loton Park Tennis Club has held a lease over the premises located at the corner of Bulwer and Lord Streets, Perth for a period of ten years under the City of Vincent, the current lease expired on the 30 June 2014.

**DETAILS:**

The Club has written to the City requesting a new lease for a period of ten years.

During the current ten year lease period Loton Park Tennis Club has ensured that the premises is well maintained and kept clean at all times.

It is recommended that they be allowed to continue to use the premises under a five (5) year lease arrangement with an option for a further five (5) year period. The group will be requested to submit their constitution, operating and financial statements for assessment as part of the negotiations.

Loton Park Tennis Clubroom is currently undergoing significant renovation which when finished will provide the Club with an up to date premises which will assist in attracting future membership and maintain the ongoing viability of the Club.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

City of Vincent Policy 1.2.1 – Policy Statement:

1. Any new lease granted by the Council shall usually be limited to a five (5) year period, and any option to renew shall usually be limited to no more than a ten (10) year period.
2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.

**RISK MANAGEMENT IMPLICATIONS:**

**Low** Loton Park Tennis Club have been excellent tenants during their lease period.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2013-2023:

2.1.3 *Develop business strategies that reduce reliance on rates revenue*

- (c) *Continue to review leases and commercial contracts to ensure the best return for the City, whilst being cognisant of its community service obligations.*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The City currently has a peppercorn lease agreement with the Loton Park Tennis Club. However, the Club is contributing a significant amount towards the upgrade of the facilities.

**COMMENTS:**

Loton Park Tennis Club have been good tenants for the duration of their lease period and the Administration supports a further five (5) year lease with a further five (5) year option period.

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**9.3.5 Lease for Tuart Hill Cricket Club Inc, Modernians Hockey Club Inc and Cardinals Junior Football Club – Lease of Premises at Charles Veryard Reserve Pavillion and Turf Wickets, Bourke Street, North Perth**

<b>Ward:</b>	North	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	SC351/SC618
<b>Attachments:</b>	<a href="#">001</a> – Map of proposed leased area		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	K Davies, Executive Secretary Corporate Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

That Council **APPROVES** a joint lease being granted to the Tuart Hill Cricket Club Inc, Modernians Hockey Club Inc and Cardinals Junior Football Club from 1 October 2014 to 30 September 2019 with a further five (5) year option over the pavillion at Charles Veryard Reserve Bourke Street, North Perth, as per Attachment 001, as follows:

- 1.1 **Term:** five (5) years plus five (5) year option;
- 1.2 **Rent:** \$4,350 - Tuart Hill Cricket Club  
\$2,175 - Modernians Hockey Club  
\$2,175 - Cardinals Junior Football Club  
per annum plus GST indexed to CPI;
- 1.3 **Outgoings:** to be paid jointly by the Lessees;
- 1.4 **Rates & Taxes:** to be paid jointly by the Lessees; and
- 1.5 **Permitted Use:** Sporting Facility.

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

**PURPOSE OF REPORT:**

The purpose of this report is to provide Council with details regarding the Tuart Hill Cricket Club Inc, Modernians Hockey Club Inc current lease of the premises at Charles Veryard Reserve and the inclusion of the Cardinals Junior Football Club to enter into a lease with the City following the approval by Council for that Club to use the facilities at the Reserve.

**BACKGROUND:**

Tuart Hill Cricket Club Inc and Modernians Hockey Club Inc have jointly held a lease over the premises located at Charles Veryard Reserve, Bourke Street, North Perth for a period of fifteen (15) years.

The current lease period expired on the 30 September 2014, however there is a further option period of five years to 30 September 2019.

The City wrote to Modernians Hockey Club and Tuart Hill Cricket Club to ascertain if they wanted to take the five year option, both clubs confirmed their agreement to continue.

The City wishes to use the consideration of the option period to include the Cardinals Junior Football Club in a new lease agreement for the clubrooms.

The City is now proposing a new lease agreement for the Clubs concerned for a five (5) year period with a five (5) year option.

**DETAILS:**

The Cardinals Junior Football club contacted the City in regard to relocating some teams from their current location at Menzies Park due to the expansion of the club. Following extensive investigations Charles Veryard Reserve was selected as being the preferred location that was available to the Club.

At the Ordinary Meeting of Council held 25 March 2014 Item 9.2.6 the following resolution was adopted:

*“That the Council;*

1. *NOTES that;*
  - 1.1 *the proposed redevelopment plans for Menzies Park presented by the Cardinals Junior Football Club have not been well received by the local community and the regular users of Menzies Park;*
  - 1.2 *a petition with seventy five (75) signatures opposing the proposed redevelopment plans at Menzies Park was presented at the Ordinary Meeting of Council held on 11 March 2014; and*
  - 1.3 *the City’s Mayor and Officers have held a number of meetings with the Tuart Hill Cricket Club, the Modernians Hockey Club and the Cardinals Junior Football Club to enable the co-existence of the three (3) clubs at Charles Veryard Reserve, North Perth, to provide better utilisation of the public open space, (refer attached Plan No. 3134-CP-01);*
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;*
3. *APPROVES BY AN ABSOLUTE MAJORITY to reallocate an amount of;*
  - 3.1 *\$18,000 from the 2013/2014 ‘Forrest Park Fencing Installation Budget’ for costs associated with Cardinals Junior Football Club’s co-existence with Tuart Hill Cricket Club and Modernians Hockey Club at Charles Veryard Reserve for the winter season commencing 12 April 2014; and*
  - 3.2 *\$60,000 from the 2013/2014 ‘Birdwood Square Floodlighting Budget’ for the proposed Charles Veryard Reserve Lighting Upgrade;*
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; and*
5. *ADVISES the petitioners and the Cardinals Junior Football Club, Tuart Hill Cricket Club and the Modernians Hockey Club of its decision.”*

The Modernians Hockey Club and the Cardinals Junior Football Club will utilise the facility and reserve during the period April to September (inclusive) on Mondays, Thursdays, Saturdays and Sundays. Modernians Hockey will use the pavilion and reserve on Monday and Thursday for training and Saturday and Sunday for matches. Cardinal’s Junior Football Club will use the pavilion and reserve on Thursday for training and Sunday for matches.

Whereas the Tuart Hill Cricket Club will use the clubroom and reserve during the period October to March (inclusive) on Tuesdays, Thursdays and Saturdays.

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**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

City of Vincent Policy 1.2.1 – Policy Statement:

1. Any new lease granted by the Council shall usually be limited to a five (5) year period, and any option to renew shall usually be limited to no more than a ten (10) year period.
2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.

**RISK MANAGEMENT IMPLICATIONS:**

**Low** The Sporting Clubs have been excellent tenants during their lease period.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2013-2023:

*2.1.3 Develop business strategies that reduce reliance on rates revenue*

- (c) *Continue to review leases and commercial contracts to ensure the best return for the City, whilst being cognisant of its community service obligations.*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

Tuart Hill Cricket Club and Modernians Hockey Club currently pay \$4,319 each per annum GST inclusive to use the facilities. These amounts are linked to the annual Consumer Price Index (CPI).

**COMMENTS:**

The Tuart Hill Cricket Club and Modernians Hockey Club have been responsible tenants during the lease period and they have addressed any issues in a responsible manner.

It is anticipated that the Cardinals Junior Football Club will also be good tenants for this facility as referenced by the use and maintenance of Menzies Park.

The Administration therefore have no hesitation in recommending approval for this joint lease.

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## 9.4 COMMUNITY SERVICES

### 9.4.1 Light Up Leederville Carnival - Use of Britannia Road Reserve for Parking and Santa Fun Run

<b>Ward:</b>	South	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	Leederville (3)	<b>File Ref:</b>	SC1527
<b>Attachments:</b>	<a href="#">001</a> – Light Up Leederville Parking Plan <a href="#">002</a> – Letter from Aranmore Catholic College <a href="#">003</a> – Santa Fun Run Route <a href="#">004</a> – Draft Traffic Management Plan – extract		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

#### OFFICER RECOMMENDATION:

That Council;

1. **RECEIVES** the Light Up Leederville Parking Plan included as Attachment 001; and
2. **APPROVES:**
  - 2.1 The use of Britannia Road Reserve as a temporary parking facility, for use on Sunday, 7 December 2014 to accommodate parking for the Light Up Leederville Carnival, subject to the following conditions:
    - 2.1.1 Operating hours for the parking facility to be set from 12 noon to 12 midnight on Sunday, 7 December 2014;
    - 2.1.2 Flat-rate fee of \$10.00 be charged for each vehicle that uses the facility, coordinated by Aranmore Catholic College and proceeds received by Aranmore Catholic College;
    - 2.1.3 Light Up Leederville Carnival organisers to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility;
    - 2.1.4 Light Up Leederville Carnival organisers to undertake a letter drop to all properties bounding Britannia Road Reserve; Bourke Street, Brentham Street and Britannia Road, to ensure that the community is aware of the use of Britannia Road Reserve as a parking facility;
    - 2.1.5 Light Up Leederville Carnival organisers to maintain responsibility for and coordination of the temporary parking facility;
    - 2.1.6 Light Up Leederville Carnival organisers to ensure the appropriate allocation of ACROD parking is available in the temporary parking facility; and
  - 2.2 The Variety WA Santa Fun Run route as shown in Attachment 003 to be part of the Light Up Leederville Carnival activities; and
  - 2.3 The temporary removal of the retractable bollards at Venables Park to accommodate emergency vehicle access.

**PURPOSE OF REPORT:**

To seek approval for the use of Britannia Road Reserve as a temporary parking facility, during the Light Up Leederville Carnival on Sunday 7 December 2014, in order to ensure that inconvenience to residents, caused by patrons parking in the residential streets, is minimised. Approval is also sought for the Variety Santa Fun Run to be held in Leederville the morning of the Light Up Leederville Carnival.

**BACKGROUND:**

Council considered this proposal at its Ordinary Meeting on 9 September 2014, and requested as follows:

*"That the item be DEFERRED to the Ordinary Meeting of Council to be held on 7 October 2014".*

The Council has allowed parking to take place on Forrest Park for the Beaufort Street Festival for the last two (2) years. This temporary facility operated well in Mount Lawley, by providing additional parking to festival goers and staff, and minimising the affect on nearby residential streets. It is recommended that a similar approval be provided for the Light Up Leederville Carnival.

The Carnival organisers met with the City's Officers on 17 September 2014, to discuss the best possible route for Variety to hold their annual Santa Fun Run in Leederville on the day of the Carnival.

**DETAILS:**

**Britannia Road Reserve**

The Light Up Leederville Carnival organisers have requested approval to use Britannia Road Reserve to accommodate patron parking for the 2014 Carnival, which occurs on Sunday 7 December 2014. At the 2013 Light Up Leederville Carnival, the Rangers commented on the significant amount of illegal parking close to the festival location. The Carnival organisers are responding to these concerns and have presented the City with a parking plan as found in Attachment 9.4.1 (001).

The organisers have contacted nearby businesses and obtained one hundred (100) car bays in the Water Corporation car park, one hundred (100) car bays at the School of Isolated Distance Education car park and forty (40) bays at Medibank Stadium. The Carnival organisers recently requested additional bays in the Water Corporation car park, but declined by the Water Corporation. The City's Officers discussed the matter of additional parking further with the Water Corporation, which has expressed concerns that public use of its operations car park, could affect on the Perth metropolitan water supply in the event of an emergency. The City's Officers also discussed the option of utilising the oval at Medibank Stadium as a temporary parking facility with both Subiaco Football Club and East Perth Football Club, however they were not willing to provide more than the forty (40) bays previously approved.

The Light Up Leederville Parking Plan, which can be found in Attachment 001, outlines the Carnival organiser's intent to encourage patrons to 'travel smart', by promoting and encouraging sustainable transport methods. The plan includes offering incentives to patrons who arrive by public transport, bicycle or walking, as well as intent to discuss with Perth Transport Authority (PTA) to introduce special train services to service the carnival. In the lead up to the festival the travel smart message will be released heavily via the Light Up Leederville Carnival's social media platforms. Despite these efforts, the Carnival organisers request additional car parks and reserves to be made available for festival patrons.

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Britannia Road Reserve is large enough to accommodate up to 1,000 vehicles, however after discussion with the City's Senior Rangers, it is intended for only the southern aspect of the Reserve be fenced off to allow up to 500 car bays. The Carnival organisers have approached a local high school, Aranmore Catholic College, to manage the parking at a flat rate fee of \$10 per vehicle, to be used as a fundraiser for the school as shown in Attachment 002.

Relative to the above, Council may wish to consider the appropriateness of continuing the practice of allowing schools to manage parking on the City's reserves, for the purpose of generating an income (in this case \$5,000 or more depending on turn-over of bays), particularly in the absence of an open bidding/competitive process, or where the school is a private school charging full fees for students.

The City operated a "Parking Hotline" for the 2013 Carnival and, given that a larger crowd is expected to attend the 2014 event, it is confirmed that a similar system will be in operation. This "Parking Hotline" will be advertised locally as the contact number for any parking problems and the contact mobile telephone will be carried by the Supervising Ranger.

### **The Variety Santa Fun Run**

Variety WA, the Children's Charity, is a national not-for-profit organisation committed to empowering Australian children who are sick, disadvantaged or have special needs to gain mobility, independence and self esteem.

The Variety WA Santa Fun Run is an inclusive fun run for all ages and abilities. The Fun Run is a fundraising initiative for sick, disadvantaged and special needs children. It is anticipated that approximately 1,800 people will be registered for this year's Fun Run, which is proposed to be held at 11am on Sunday 7 December. Upon registration, each participant is provided with a Santa costume, which they will wear whilst completing the route. The end of this year's route is the Light Up Leederville Carnival where a sea of people dressed like Santa will flow into the Carnival. This in itself will be a sight to be seen and a fantastic way to ignite the carnival.

The Fun Run will commence one (1) hour before the Light Up Leederville Carnival commences, at 11am and is expected to be over no later than 12pm. The route of the Fun Run will commence on the grounds at Central Institute of Technology on Oxford Street. Runners will gather at 10am for an 11am start and will follow the route found in Attachment 003.

A meeting was held with the City's Officers on 22 September where the route of the Fun Run was walked and any concerns raised. The route as proposed in Attachment 003 provides the safest route with the least impact. A further meeting was held on 8 October 2014 with the City's Officers and traffic management personnel representing both the Light Up Leederville Carnival and the Variety Santa Fun Run. Topics discussed included the route of the Fun Run, logistics of the roving road closure and foot traffic on the residential streets. Due to the temporary nature of the Fun Run, these roads would be closed on a roving basis and will reopen once the last of the runners have passed. It is anticipated that the longest duration that any road would be closed would be approximately one (1) hour. The City's Officers were satisfied with the route and traffic management plan and how it will tie in with the Light Up Leederville Carnival.

### **Venables Park**

The Carnival organisers have requested the temporary removal of the retractable bollards at Venables Park for the duration of the Light Up Leederville Carnival on 7 December 2014. The removal of the retractable bollards would allow for emergency vehicles to easily access Carr Place in the event of an emergency in that area. The draft Traffic Management Plan received suggests this is a safe option considering that Carr Place will again be closed off completely for traffic during the Carnival.

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The Santa Fun Run will also use the pathway at Venables Park as part of the route, and removing these retractable bollards will assist greatly in the flow of the pedestrian traffic who are completing the run and provide greater path clearance and access for participants in wheelchairs.

**CONSULTATION/ADVERTISING:**

The Carnival organisers will undertake an initial letter drop to a wide area surrounding Britannia Road Reserve and this will be followed up with a second letter drop closer to the event. The Carnival organisers noted that the Variety WA Santa Fun Run information will be included in the resident notification letter.

The organisers have also tried to engage local businesses and residents to ensure that adequate preparation can be made to accommodate anomalies and potential problems.

As the Festival location is very well serviced by public transport, the City's Officers have recommended to the organisers that a social media campaign and advertising be used to release the travel smart message.

The Carnival will be promoted through newspapers, electronic media, advertising posters in local shops, banners in approved locations, and a dedicated website and by letter/pamphlet drops.

**LEGAL/POLICY:**

The Carnival organisers are discussing the traffic management plan and will submit this to the City to approve.

The arrangements are in accordance with the City's standard procedures and Police and Emergency Services have been notified.

Due to the extended road closure this year, the Public Transport Authority (PTA) will be notified to arrange detours for public transport, to accommodate the event.

- Policy No. 3.10.5 *'Donations, Sponsorship and Waiving of Fees and Charges'*;
- Policy No. 3.8.3 *'Concerts and Events'*; and
- Policy No. 3.10.8 *'Festivals'*.

**RISK MANAGEMENT IMPLICATIONS:**

A formal Risk Management Plan is being compiled by the Carnival organisers, in conjunction with a consultant, local Police and local businesses.

**STRATEGIC IMPLICATIONS:**

In keeping with the City's *Strategic Plan 2013-2017*, the following Objectives states:

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's Officers and the Light Up Leederville Carnival organisers will heavily encourage 'travel smart' options, including cycling and public transport, as there will be a large number of festival patrons who will rely on their cars as a way of transport to the event.

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**FINANCIAL/BUDGET IMPLICATIONS:**

The estimated loss of revenue from ticket machines for the day of the Carnival is \$2,670. Rangers will be rostered to assist with set up, pack down as well as enforcement issues during the event. Given similar experiences in previous years with the use of Forrest Park as a temporary parking facility during the Beaufort Street Festival and after consideration of comments received from the City's Manager Parks and Property Services, the risk of significant damage requiring repair or maintenance to the playing surface of Britannia Road Reserve is low. As such there is unlikely to be financial implications with regards to the maintenance of the Reserve after its use as a temporary parking facility for the Light Up Leederville Carnival.

**COMMENTS:**

The Light Up Leederville Carnival continues to grow in size and programming quality each year. The addition of the Santa Fun Run will add even more colour and excitement to the Light Up Leederville Carnival. The fun run and the extension of the Carnival past Vincent Street in 2014 is likely to attract more people to the festival. Though there will be a strong push to use alternative means of transport to the Carnival, such as cycling or public transport, there will be many that will rely on their vehicles. The intention is to minimise disruption and illegal parking on local residential streets by providing overflow parking close to the festival site.

**9.4.2 Major Artwork for North Perth Town Centre – Progress Report No. 2**

<b>Ward:</b>	South	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	North Perth Centre (9)	<b>File Ref:</b>	SC660
<b>Attachments:</b>	001 – CONFIDENTIAL: Buffy and Ben Jones Public Art submission for North Perth Town Centre (Council Members Only) 002 – CONFIDENTIAL: Si Hummerston Public Art submission for North Perth Town Centre (Council Members Only) 003 – CONFIDENTIAL: VJZoo Public Art submission for North Perth Town Centre (Council Members Only) <a href="#">004</a> – Selected Public Art Proposal for North Perth Town Centre (Artist Team Buffy and Ben Jones) <a href="#">005</a> – Si Hummerston Public Art Proposal for North Perth Town Centre <a href="#">006</a> – VJZoo Public Art Proposal for North Perth Town Centre		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

**That Council:**

1. **RECEIVES Progress Report No. 2 relating to the North Perth Town Centre Major Artwork and the information relating to the structural adequacy of the proposed artworks;**
2. **APPROVES:**
  - 2.1 **The appointment of the Artist Team Buffy and Ben Jones, as the successful tender; and**
  - 2.2 **The commissioning of the Public Art Concept as detailed in Confidential Attachments 001 and 004 for the North Perth Town Centre Major Artwork; and**
3. **NOTES that a further report will be presented to Council once further work has been progressed on the project.**

**PURPOSE OF REPORT:**

The purpose of this report is to seek Council approval for the appointment of Artist Team, Buffy and Ben Jones, and the commissioning of their Public Art Concept, as detailed in Confidential Attachment 9.4.2 (001) and shown in Attachment 9.4.2 (004), for the North Perth 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 North Perth Town Centre.

At the Ordinary Meeting of Council held on 27 August 2013, the Council resolved to contract Art Consultant Helen Curtis for the project management of the procurement of major artwork for North Perth Town Centre.

Council considered this matter at its Ordinary Meeting on 23 September, and resolved as follows:

*“That the item be DEFERRED to the Ordinary Meeting of Council on 21 October 2014 for further information regarding the structural adequacy of all the proposed artworks.”*

Additional information regarding the structural adequacy of the recommended artwork has been obtained from the Artist Team Buffy and Ben Jones, and is referenced under the "Details" section of this report, relating to their design concept. Similar information has also recently been requested from the other two shortlisted artist teams and will be circulated once received.

**DETAILS:**

The City's Officers have been working with Helen Curtis, Arts Consultant, to undertake the North Perth Town Centre Major Artwork project.

On Thursday 22 May 2014, the Artist Brief for the North Perth 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. Curtis, also distributed the Artist Brief to her extensive data base of professional artists.

The deadline for submissions by Artist Teams was Monday 16 June 2014 and nine (9) submissions were received from Artist Teams.

On Friday 27 June 2014, the selection panel met to shortlist three (3) Artist Teams to develop their concepts and submissions in response to the Request For Tender.

The panel consisted of:

- Acting Director Community Services;
- Acting Manager Community Development;
- North Perth Local representative, Jane Coffey;
- Artist and Art Consultant, Malcolm McGregor;
- Artist Judith Forrest; and
- Senior Architecture Officer from Office of Government Architect, Patrick Ford.

In order to shortlist three (3) Artist Teams, the selection panel reviewed applications from each of the nine (9) Artist Teams and a total of forty-five (45) images of their previous work. Informed discussion was also completed, led by Arts Consultant Ms. Curtis. The shortlisting selection criterion was weighted as follows:

Criteria	Weighting
Strength of proposed artistic approach – methodology, innovation and response to the brief, site and context.	50%
Quality of previous artwork projects (supported by slide submissions).	20%
Relevant Experience – ability to implement a large budget public art project (over \$50,000).	15%
Technical Capabilities – experience in creating site-specific public artworks that enliven a public space	15%

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

- Buffy and Ben Jones;
- Si Hummerston; and
- VJZoo.

On Friday 4 July 2014, a site visit on Fitzgerald Street in North Perth and at the City's Administration and Civic Centre was held with the three (3) shortlisted Artist Teams. Acting Director Community Services and Acting Manager Community Development 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 Monday 1 September 2014. All three (3) Artist Teams submitted their applications on time and in accordance with requirements. The three (3) submissions can be found as shown in Confidential Attachment 9.4.2 (001), 9.4.2 (002) and 9.4.2 (003).

On Friday 5 September 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 – strength of proposed artistic approach and methodology, response to the brief and the site.	50%
Demonstrated ability to achieve the project meeting the program and budget.	25%
Value for money.	25%

### **Buffy and Ben Jones Design Concept**

Buffy and Ben Jones presented a concept that proposed ten (10) separate pieces arranged across three (3) locations in North Perth:

- East and west of the pedestrian crossing on Fitzgerald Street that sits south of View Street; and
- At the intersection of Fitzgerald Street and Wasley Street.

The pieces are reductive, architectural and geometric in form and feel, with animation provided by the addition of legs and other divergent motifs providing a sense of dynamism.

The proposed colour palette is a combination of bright, happy and warm, evoking ideas of home and friendly familiarity. A pattern application could also be considered and developed during the design documentation period; this option is outlined in their proposal as found in Confidential Attachment 9.4.2 (001).

The work and its motifs seek to draw together and highlight many of the positive and appealing aspects of urban life in an environment such as North Perth. Physically, the work will appear as if the pieces are walking along or congregating at their chosen location, relating to the active civic character of the area. The movement and interplay of colour and form will further reflect the exciting and vibrant activity of the area.

Artist Team Buffy and Ben Jones have been working with the same structural engineer for approximately fifteen (15) years and are confident in his skill, specifications and advice. They have completed works with similar footings in recent years, encountering no issues with stability of the proposed artwork legs.

The Artist Team provided the following structural notes for consideration:

- Concrete mass footings will be specified with a high margin of safety;
- The three (3) tallest works will be addressed with appropriate engineering specification during design documentation;
- A high degree of strength can be attained through the use of appropriate thickness wall pipe for the artwork legs and plates for the artwork bodies, without impacting the intended look of the artwork;
- If additional strength is required, a steel reinforcing deform bar can be inserted in the hollow legs;
- The artwork legs will pass inside the artwork bodies, allowing additional points of contact for welding which will significantly increase the overall stiffness and strength of the structures;

- The artwork legs will be joined below ground by common footing plates adding rigidity and stability; and
- Discreet gusseting can be employed around the artwork's leg to body joints that are deemed vulnerable.

The above outlines numerous options for increasing the strength and stability of the proposed artworks, should the structural engineer request this during design documentation.

### **Si Hummerston Design Concept**

Artist Si Hummerston's concept, as detailed in Confidential Attachment 9.4.2 (002) and shown in Attachment 9.4.2 (005), was to provide a community of robots to the North Perth Town Centre. Three (3) individual and unique sculptures are proposed to be linked by their subject matter while projecting the future and reflecting on the past. This was the aim of the robot concept, to reflect the transition of North Perth as an inner-city area shifting to a technology dominated future, whilst still trying to maintain a hold on the cultural and architectural heritage.

The quirky, humorous and interactive artworks have been designed to attract the eye of the passers-by during the day and will be transformed at night with dynamic, brightly coloured lighting. The robots aim to be a varied suite of resilient works that have long lasting value and significance to Fitzgerald Street, encouraging creative thought, socialisation and provide some light hearted brightness to the area.

The three (3) sculptures would provide a different form of interaction at each site; "Thinkbot" providing seating for a person to sit next to the robot, "X-Ray" will provide an experience to the individual with the hope they would feel they are viewing the robot using X-Ray vision, and "Walkman & Megabyte" standing as though they are preparing to cross Fitzgerald Street.

### **VJZoo Design Concept**

The concept proposed by VJZoo, as detailed in Confidential Attachment 9.4.2 (003) and shown in Attachment 9.4.2 (006), is for a series of dodecahedron shapes made from a coloured material, high density polyethylene, with internal lighting that will provide both a day time and night time presence to the North Perth Town Centre.

The dodecahedrons would be varied in size and distributed across three (3) locations:

- North and south of Wasley Street at the Fitzgerald intersection; and
- West of the pedestrian crossing on Fitzgerald Street that sits south of View Street.

The three sizes proposed for the dodecahedrons would be as follows:

- Eleven (11) small enough to sit on;
- Eleven (11) of medium size to climb on over; and
- One (1) of a large size to lean against.

The Artist Team proposed the use of five (5) primary colours that provoked bright, happy, energising thoughts, though these could easily be amended if required.

The internal lighting proposed would emit a soft, gentle light to encourage the interaction and use of the dodecahedrons at night time.

The locations, size, colour and specific shape of the proposed forms are all open to amendment with the general concept of varied size shapes with internal lighting the focal point. It was noted that shapes with varied numbers of curves would be difficult to achieve in the timeframe.

### **Panel Recommendation**

Upon review of the submissions, presentations by the Artist, discussion and subsequent scoring, Artist Team Buffy and Ben Jones were weighted the highest score and recommended to be the Artist Team and Art Concept to be commissioned for the North Perth Town Centre Major Artwork.

It should be noted that, whilst the selection panel agreed that Buffy and Ben Jones should be appointed as the successful Artist Team, the scores between the highest scoring proposal and the second highest scoring proposal was only 2.5%, with overall scores as follows:

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Buffy and Ben Jones	81.67%
Si Hummerston	79.17%
VJZoo	58.33%

The deciding factor between Buffy and Ben Jones and Si Hummerston was the scoring in the highest weighted criteria, quality of artwork proposal. For this criterion, Buffy and Ben Jones scored 41.67% and Si Hummerston scored 37.50%.

The recommendation of the selection panel is for the commissioning of Artist Team Buffy and Ben Jones and their Public Art Concept, as detailed in the body of this report and as shown in Confidential Attachment 9.4.2 (001), for the North Perth 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 North Perth 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 total listed funds in the 2014/2015 Budget for this Project is \$150,000, with the breakdown as follows:

Art Commission:	\$100,000
Concept Design Fees:	\$ 4,500
Art Consultant Fees:	\$ 8,925
Providing power to three (3) locations:	\$ 22,500
Landscaping to three (3) locations:	\$ 8,500
Contingency:	\$ 5,575
<b>Total:</b>	<b>\$150,000</b>

**Spent to Date**

Concept Design Fees	\$ 4,500
Committed to Date:	
Art Consultant Fees	\$ 8,925
<b>Total Spent and Committed:</b>	<b>\$ 13,425</b>

**Total Remaining:** **\$136,575**

Each of the three art concepts will cost \$100,000 (ex. GST) to deliver.

**COMMENTS:**

The recommended major artwork for the North Perth Town Centre is a playful work, depicting architectural, anamorphic forms walking and congregating along Fitzgerald Street. The artwork will comprise of ten (10) separate pieces durably constructed from fabricated steel and painted in corrosion resistant coatings in soft, warm colours evoking familiarity and friendliness. Groups in three (3) locations along Fitzgerald Street the artworks will be list using a combination of up lighting and integrated lighting.

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Each individual artwork has its own innate character with potential features including saw-tooth roofs, butterfly roofs and tilt-up slabs. The pieces are designed to be tactile, fun and interactive. It is anticipated that the artwork will have broad appeal for North Perth businesses, residents and visitors alike.

Artist Team Buffy and Ben Jones' submission was the most responsive to the Artist Brief and will provide ongoing enjoyment and aesthetic experiences for residents, businesses and visitors of the North Perth Town Centre.

**9.4.3 100 Day Place Management Report – Progress Report No. 2**

<b>Ward:</b>	Both	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1492
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Doy, Place Manager A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council;

1. **RECEIVES** the 100 Day Place Management Report relating to the progress of the Place Management programme; and
2. **REQUESTS** a further Place Management Progress Report to Council in February 2015.

**PURPOSE OF REPORT:**

The following report outlines the work undertaken in the second 100 days of the Place Management programme.

**BACKGROUND:**

The City's first Place Manager was appointed in February 2014 and commenced work at the City on 4 March 2014. The first 100 day report was presented to Council on 8 July 2014. It outlined the strategic direction of the Place Management Programme and provided an update on each of the Town Teams and the projects being delivered in the Town Centres.

**DETAILS:**

The following report builds upon the information presented in the first 100 day report which was endorsed by Council at the Ordinary Meeting held on 8 July 2014 and provides an update on the progress of projects and initiatives being undertaken in each of the Town Centres.

**Town Centre Action Plans**

The Place Management team is facilitating the preparation of Action Plans for each of the Town Centres in close and equal collaboration with the Town Teams. The intent of each Action Plan is twofold:

1. Gain an understanding of the Town Centres and develop a plan of action for the City of Vincent, the Town Team, business community and resident community to follow; and
2. To create a culture of active participation by the local community, for the local community.

Progress for each of the Action Plans is outlined below:

<b>Town Centre</b>	<b>Progress</b>
<u>Beaufort Street</u>	<ul style="list-style-type: none"> <li>Action Plan completed and launched to the community on 7 May 2014; and</li> <li>Action Plan Edition 2 complete and to be presented to the community on 29 October 2014.</li> </ul>
<u>Leederville</u>	<ul style="list-style-type: none"> <li>Action Plan template and graphics complete;</li> <li>Community Information Session held on 8 June 2014;</li> <li>Community Engagement Session No. 1 held on 19 June 2014;</li> <li>Community Engagement Session No. 2 held on 25 August 2014; and</li> <li>Online survey undertaken via Leederville Connect Facebook page.</li> </ul>
<u>Beaufort Street</u>	<ul style="list-style-type: none"> <li>Action Plan completed and launched to the community on 7 May 2014; and</li> <li>Action Plan Edition 2 complete and to be presented to the community on 29 October 2014.</li> </ul>
<u>Leederville</u>	<ul style="list-style-type: none"> <li>Action Plan template and graphics complete;</li> <li>Community Information Session held on 8 June 2014;</li> <li>Community Engagement Session No. 1 held on 19 June 2014;</li> <li>Community Engagement Session No. 2 held on 25 August 2014; and</li> <li>Online survey undertaken via Leederville Connect Facebook page.</li> </ul>
<u>North Perth</u>	<ul style="list-style-type: none"> <li>Action Plan template and graphics complete; and</li> <li>Community Engagement Session No. 1 held 29 June 2014;</li> <li>Community Engagement Session No. 2 held 5 July 2014; and</li> <li>North Perth Local workshop to be held November 12 2014.</li> </ul>
<u>Mount Hawthorn</u>	<ul style="list-style-type: none"> <li>Action Plan template and graphics complete; and</li> <li>Community Engagement Session No. 1 held on 29 May 2014;</li> <li>Community Engagement Session No. 2 held on 8 June 2014;</li> <li>Community Engagement Session No. 3 held on 14 June 2014;</li> <li>Community Workshop held September 10 2014; and</li> <li>Action Plan draft complete</li> </ul>

### **Streetscape Improvements and Placemaking Initiatives**

#### Beaufort Street

The Place Management team has overseen the following initiatives on Beaufort Street:

<b>First 100 Day Report</b>	<b>Second 100 Day Report</b>
Twelve (12) new public seats ordered based upon consultation with the Network.	Twelve (12) new public seats received and ready to be installed.
All street tree plantings completed (Oriental Plane Trees and Flooded Gums).	All street tree plantings completed (Oriental Plane Trees and Flooded Gums).
Mary Street Piazza Concept completed and approved by Council to proceed to trial and consultation.	Mary Street Piazza temporary trial implemented and Council approval provided to proceed to detailed design phase.
Shortlisting of artists to prepare a design for two (2) 'shared spaces' on Beaufort Street road pavement.	Council approval for shared space designs based on concepts prepared by chosen artist. PTA and Main Roads approval obtained. Works to begin in late October.
Preparation of written agreement between the landowner and City for the revitalisation of the laneway (light boxes and chandelier structure) between Lot 2 (485) Beaufort Street and Lot 1 (483) Beaufort Street.	Written agreement has been progressed. Laneway pavement design has been implemented. Dialogue between business owners to activate rear courtyard areas has begun.

First 100 Day Report	Second 100 Day Report
Wayfinding network complete.	Wayfinding network complete.
Due Diligence investigations occurring to develop a permanent Bicycle Workshop on Beaufort Street.	Due Diligence investigations revealed this workshop was unfeasible. Alternative initiatives currently being investigated.
Art Market application submitted.	Art market approved and implemented.
	Investigating laneway naming project.
	Investigating summer food market.

Leederville

The Place Management team has overseen the following initiatives in the Leederville Town Centre:

First 100 Day Report	Second 100 Day Report
A concept for the revitalisation of Lot 3 Oxford Street, Leederville (commonly referred to as the 'Water Corp Laneway') has been prepared and presented to the Leederville Town Centre Enhancement Working Group.	Planter boxes, olive trees, and re-used bus seating have been installed into the laneway. The laneway has been re-surfaced and the adjoining wall painted with a mural. Lighting is scheduled for installation in November.
A streetscape audit has been undertaken for Leederville.	Seating has been purchased and ordered. The first round of seating will be installed in Mid October. A design for new bins has been approved by Council and a prototype will be completed for inspection in November.
A report was submitted to Council on 24 June 2014 requesting approval for the painting of thirty four (34) existing bicycle racks.	The Leederville Enhancement Working Group decided not to proceed with this initiative.
	A wayfinding system has been implemented in the Town Centre.

North Perth

The Place Management team has overseen the following initiatives in the North Perth Town Centre:

First 100 Day Report	Second 100 Day Report
A streetscape audit has been undertaken for the North Perth Town Centre. This audit identifies the existing streetscape infrastructure and identifies gaps in the current provision and areas for improvement. New seating, street trees, bins and bicycle racks have been identified for purchase for the 2014/15 financial year.	Forty nine (49) new Oriental Plane Trees will be planted in the Town Centre in late 2014.
The City's Place Management team, with members from North Perth Local, undertook a street walk to identify the best locations for the future North Perth public art work.	The North Perth Major Artwork has been presented to Council for consideration.

First 100 Day Report	Second 100 Day Report
Banners advertising the Angove Street Festival have been prepared by a local designer and sponsored by the City. The City's Place Management team managed their production and installation.	Banners have been printed and installed.
The City's Place Management team has overseen the ongoing approvals process for the Golden Days Markets.	Approvals have been issued with the Rosemount considering an expansion of the existing market.

Mount Hawthorn

The Place Management team has overseen the following initiatives in the Mount Hawthorn Town Centre:

First 100 Day Report	Second 100 Day Report
A streetscape audit has been undertaken for the Mount Hawthorn Town Centre. This audit identified the existing streetscape infrastructure and identifies gaps in the current provisions and areas for improvement. Trees and bike racks have been installed in select locations in the Town Centre, while new seating, more street trees and bins have been identified for purchase for the 2014/15 financial year.	Extra street trees have been planted in selected locations as part of the Greening Plan.
Banners advertising the Mount Hawthorn Town Centre were prepared by local designers and sponsored by the City. The City's Place Management team managed their production and installation.	Banners have been installed.
The City's Place Management team has completed the graphic design for a wayfinding network which will be stencilled on the pavement. This will improve the legibility of the Town Centre and promote walking and cycling. The Wayfinding Network will be implemented in July 2014.	Wayfinding system implemented.
The City's Place Management team has assisted the Mt Hawthorn Hub to procure street entertainers to perform on Scarborough Beach Road. This initiative is intended to spark a culture of street performance and improve the 'street life' of the Mount Hawthorn Town Centre, adding another reason to visit and stay.	Entertainers with permits continue to perform.
Through the facilitation of the City's Place Management team, the Mt Hawthorn Hub's graphic design and web creators are updating Google Maps to list current business and provide links to website and social media pages. This initiative will improve exposure to potential customers and the local community.	Businesses have had their profiles updated on Google Maps.

First 100 Day Report	Second 100 Day Report
	The Place Management team is assisting an application for a Makers Market on Anvil Lane. This initiative will be subject to community consultation and approval by Council.
	The Place Management team is assisting an application for a Hawker Market at Axford park. This initiative will be subject to community consultation and approval by Council.
	The Place Management team is investigating the potential for the revitalisation of Anvil Lane as a space for people.

**Policy and Local Law Amendments**

The City's Place Management team has overseen the following Policy and Local Law Amendments:

First 100 Day Report	Second 100 Day Report
The City's Place Management team successfully streamlined the Outdoor Eating Areas Policy to remove the one (1) chair per square metre provision which simplifies the application process for applicants.	The revised policy is now approved by Council and available on the City's website.
The City's Place Management team led the initiative to create Street Entertainer Zones within Vincent's Town Centres. This allows street performers to perform without the need for a permit. Performance areas are identified for performers through a 'play here' disc, ensuring pedestrian accessibility is maintained. This initiative required an amendment to the Trading in Public Place Local Law, which is currently being advertised to the community.	The Local Law change has been advertised and a series of amendments made as a result of submissions received from the community. The amendments have been reviewed by the City's lawyer and following Council approval will be progressed with the Minister for Local Government.
The City's Place Management team is currently reviewing the Draft Mobile Food Vendors Policy. Food trucks are a popular and effective means of activating forgotten spaces or improving the destination qualities of existing places.	Following Council feedback this policy is being amended by Health and will be re-considered by Council in December 2014.
The City's Place Management team is currently assisting the drafting of content for the Precinct Policies which will adjoin the future Town Planning Scheme No.2 as well as providing advice in the statutory section of the proposed Leederville Activity Centre Structure Plan. The Place Management team will provide direct input into built form requirements for active frontages and also advice around public realm standards and requirements for new developments.	Major developments in Town Centres are now forwarded to the Place Management team for review and comment prior to Design Advisory Committee meetings.

## **Events**

The Place Management team continues to oversee the implementation of the following events in the Town Centres:

### Beaufort Street Festival

The Place Management team is in regular contact with the Beaufort Street Festival team, attending visioning and brainstorming sessions and providing advice around programming and community engagement. Technical meetings have occurred to ensure all required plans are prepared.

### Light Up Leederville Carnival

The Place Management has regular one-on-one meetings with the Light Up Leederville Carnival Director. Technical meetings have occurred to ensure required plans have been prepared. The Place Management team has also been working closely with Variety WA to implement the Santa Fun Run on the morning of the Carnival.

### Future Mount Hawthorn Event/s

The Place Management Team has been working with Mt Hawthorn Hub to plan for the Mount Hawthorn Street Festival, scheduled to occur in April 2015.

### Angove Street Festival

The Place Management team has met with the Angove Street Festival team, providing them with an application assistance kit and undertaking a street walk to assist with the general layout of the festival. Technical meetings have occurred to ensure all required plans are prepared.

## **Development Advice**

The City's Place Management team has provided ground floor activation and public realm improvement advice for a number of Development Applications in Leederville and Beaufort Street.

The Place Management team has also coordinated 'Change of Use' advice. This required relevant City staff to meet together on site and provide advice to the future applicant and problem solve issues as they arose. This collegial approach has been used for future developments in North Perth, Mount Hawthorn, and Beaufort Street, and is led by the Place Management team.

## **CONSULTATION/ADVERTISING:**

Nil.

## **LEGAL/POLICY:**

Nil.

## **RISK MANAGEMENT IMPLICATIONS:**

**Low:** Each of the projects undertaken as part of the Place Management Programme are carefully assessed and each are deemed to be low risk.

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

*Economic Development*

- 2.1 *Progress economic development with adequate financial resources*
  - 2.1.1 *Promote business development and the City of Vincent as a place for investment appropriate to the vision for the City.*
  - 2.1.2 *Develop and promote partnerships and alliances with key stakeholders*

*Community, Development and Wellbeing*

- 3.1 *Enhance and promote community development and wellbeing*
  - 3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity*
  - 3.1.3 *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.*
  - 3.1.6 *Build capacity within the community to meet its needs.*

*Leadership, Governance and Management*

- 4.1 *Provide good strategic decision-making, governance, leadership and professional management*
  - 4.1.1 *Develop leadership skills, behaviours and culture that enhance the public image of the City*
  - 4.1.4 *Plan effectively for the future*
  - 4.1.5 *Focus on stakeholder needs, values, engagement and involvement."*

**SUSTAINABILITY IMPLICATIONS:**

Where relevant, the Place Management Team encourages sustainable approaches for projects.

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2014/15 Place Management Budget is \$94,511.

The below table outlines expenditure to date.

<b>Town Centre</b>	<b>Items</b>	<b>Expenditure To-Date</b>
Beaufort Street	Mary Street Piazza (various)	\$6,651
	Wayfinding	\$ 140
Leederville	Water Corp Laneway	\$5,580
General	Preparation of Action Plan templates/graphics	\$4,482
	Community Engagement Sessions	
<b>Total Current Spend</b>		<b>\$16,853</b>

**COMMENTS:**

The above report provides a comparison of the work undertaken in the first and second 100 days of the Place Management Programme. With the Town Centre Action Plans, Streetscape Improvements, Placemaking Initiatives and Events, there is a significant amount of work being undertaken to meet the City's strategic goals.

**9.4.4 Specification of Charles Veryard Reserve as a Dog Exercise Area – Consideration of Submissions**

<b>Ward:</b>	North	<b>Date:</b>	8 October 2014
<b>Precinct:</b>	Smith's Lake; P6	<b>File Ref:</b>	SC531
<b>Attachments:</b>	<a href="#">001</a> – Map of Charles Veryard Reserve – Proposed Dog Exercise Area		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Steve Butler, Manager Ranger and Community Safety Services Peter Cicanese, Coordinator Ranger Services		
<b>Responsible Officer:</b>	Jacinta Anthony, A/Director Community Services		

**OFFICER RECOMMENDATION:**

That Council:

- NOTES** the one hundred and eighty-two (182) submissions received concerning the proposed increase to the Dog Exercise Area within Charles Veryard Reserve; and
- APPROVES BY AN ABSOLUTE MAJORITY**, pursuant to Sections 3A and 3C of the Dog Act 1976, an increase to the Dog Exercise Area within Charles Veryard Reserve to its entirety as a Dog Exercise Area, as shown in Attachment 001 and as follows:

Description of Public Place	Times During Which Place is a Dog Exercise Area
Charles Veryard Reserve in its entirety: Bounded by Bourke Street, Albert Street, Barnett Street, and Macedonia Place.	At all times except: where that part of the public place is being used for a function, sports event, training or other activities approved by the local government

**PURPOSE OF REPORT:**

The purpose of this report is to inform Council of the outcome of public consultation conducted between 8 and 29 September 2014, regarding the proposed increase to the dog exercise area within Charles Veryard Reserve, North Perth.

**BACKGROUND:**

At the Ordinary Council Meeting held on 27 May 2014, a petition was received along with 95 signatures, in regard to the Charles Veryard Reserve, and supporting the following;

- “1. Bringing in line with most of City of Vincent dog parks including Britannia Road Reserve, Forrest Park and Les Lilleyman Reserve, the designation of the whole of Charles Veryard Reserve not including a playground to be accessible for dog off leash and importantly dog owner exercise; and*
- 2. The permanent dog exercise designated area to be expanded north to include the dog water bowl and dog waste bin currently outside the designated permanent dog exercise area, still required during sporting activity event times.”*

**DETAILS:**

At the Ordinary Council Meeting held on 22 July 2014, Council approved a twenty one (21) day community consultation period in respect to the Charles Veryard Reserve as per the following (in part);

- “3. *APPROVES Community Consultation to be invited from residents within 500 metres of Charles Veryard Reserve and Sporting and Community Groups who regularly use the Reserve for a period of not less than twenty-one (21) days for the proposed additional Dog Exercise Area as follows:*

NO.	DESCRIPTION OF PUBLIC PLACE	TIMES DURING WHICH PLACE IS A DOG EXERCISE AREA
1.	<i>Charles Veryard Reserve in its entirety; Bounded by Bourke Street, Barnet Street and Albert Street, North Perth.</i>	<i>At all times except where the public place is used for a function, sports training or activities approved by the local government.</i>

4. *NOTES that a further report be submitted to the Council after the expiry of the consultation period and adhere to the requirements pursuant to Section 31 (2B) (b) of the Dog Act 1976 and advertising pursuant to Section 31 (3C) with regards to the establishment of a new Dog Exercise Area.”*

The consultation requested comments on the Charles Veryard Reserve, in its entirety, as bounded by Bourke Street, Barnet Street and Albert Street, North Perth, at all times except where the public place is used for a function, sports training or activities to be approved by Council as a dog exercise area.

The dog water bowl and dog waste bin will be moved into the existing permanent Dog Exercise Designated Area.

**CONSULTATION/ADVERTISING:**

Community consultation was undertaken in accordance with the City's Community Consultation Policy No. 4.1.5 between 8 September 2014 and close of business 29 September 2014.

There were one thousand and forty-nine (1,049) submission letters sent out to residents within a 500 metre radius of the reserve, the City received one hundred and eighty-two (182) responses; one hundred and one (101) in support of the proposal, seventy-five (75) opposed and six (6) other.

Submission forms were received from the following areas:

North Perth	177
Leederville	2
Mount Hawthorn	2
Scarborough	1
<b>TOTAL</b>	182

**Comments – In Favour**

Of the one hundred and one (101) submissions received in favour of the proposal, fifty-three (53) provided comments in general as follows:

No.	Comments – In Favour
1.	Several in support of the proposal however are concerned with owners not cleaning up after their dogs; this was stated on eight occasions.
2.	Encourages dog owners to walk rather than throwing a ball in one spot.
3.	Supports the idea however has concerns of dangerous dogs being on the reserve, no fenced areas (there were four submissions requesting fencing around the park).
4.	Would like to see more water bowls for the dogs on the reserve.
5.	A great idea doesn't have a dog at the moment but has been encouraged to have a new companion should the proposal be in favour, would like to see a fence along the Bourke street side for safety reasons.
6.	An excellent idea, the current exercise area is too small limiting space for larger dogs that may intimidate smaller dogs. Would like to see more improved ventilated dog faeces bins though, although the current ones are cute.
7.	A significant number of properties built as single residences on subdivided blocks with smaller yard space, and the benefits of pet ownership for families and children is undeniable – in total support.
8.	Supports the idea but would like to see a fully enclosed area like Inglewood oval in the City of Stirling.
9.	A great initiative, dog owners meet as a community and gather in the evenings to have a "dog's party" using the entire reserve reduces the need to worry about ranger awareness.
10.	My fellow dog owners always have poo bags and their dogs are well behaved.
11.	As long as there are sufficient dog waste bins I think this will be a positive change for locals.
12.	There are health benefits for owners exercising their dogs in a larger area this would provide a safe environment for people and dogs to interact.
13.	There is currently not enough area to exercise dogs especially after work, it is so crowded, and I fully support the proposal.
14.	Much needed bigger dog exercise area is warranted, dog population has tripled over the last 10 years.
15.	This will not really change the behaviour of residents who use the park daily exercising their dogs, it will change the behaviours of the rangers who harass and fine residents exercising their dogs in an increasing dog ownership population. This is our village green and are the social glue for a lot of single residents who work from home. Thank you for supporting the change and allowing commonsense to prevail.
16.	I am pleased of the proposal to extend the dog exercise area as I find it too hard to walk to Britannia reserve as I have arthritis of the hips. I feel the current dog exercise area is too small.
17.	Excellent but will this change if the City of Perth swallows Vincent?
18.	It is too far for me to walk to Robertson Park. I believe that the park is only used a lot early in the morning and in the evenings, not when sport is on.
19.	The proposal is welcomed; it will stop having to cross busy Charles Street to go elsewhere. Would like to see the installation of a pedestrian crosswalk activated light system in conjunction with main roads, the current staffed crosswalk is limited to a brief time before and after school. The City of Vincent staff keep the reserve in a beautiful condition with the help of being funded by ratepayers.
20.	A good proposal, would like to see higher penalties for owners not picking up after their dogs though, soils the park and creates health issues.
21.	Please replace the dog bowl that was recently removed, also would like to see fencing around the park.
22.	An excellent idea, people already go beyond the current exercise area so it seems a good step to take, this will help rangers when doing patrols.
23.	It will help pot holes getting dug by irresponsible dog owners, owners would prefer to congregate in a circle and gossip instead of walking the dogs.
24.	Would like to see improved lighting for exercising dogs on the reserve after work.

No.	Comments – In Favour
25.	I support the proposal and would strongly encourage all dog owners to be vigilant and clean up after their dogs, would like to ensure that dog poo bags are replaced on a regular basis to encourage owners to clean up after their dogs.
26.	Well done on the proposal this is great for dog owners and their dogs
27.	A great initiative by the City of Vincent
28.	I have lived here for 20 years and I think this is a great idea letting the dogs have the whole park to exercise.
29.	A great initiative
30.	This is a great idea, there are not enough areas around to accommodate large dogs
31	My husband and I agree to this proposal, we are responsible dog owners however we believe others not doing the right thing should be fined heavily.
32	The current dog exercise area is too small and causes problems with dogs crossing paths
33	This is a great incentive; I would like to see the reserve fenced off for the safety of the dogs the roads around the reserve are very busy with traffic.
34	Great work City of Vincent
35	My concern is that people are not picking up their dogs business, the rangers should check on these people and make sure they are doing the right thing
36.	Thanks City of Vincent a great initiative
37.	This is a good idea, it will help stop people using the North Perth Primary school oval to exercise their dogs
38	This is a great idea, the exercise area we have is too small and causes dogs to be bottled up in an area causing problems, we are so glad this is being looked at.
39	Much appreciated City of Vincent
40	A great initiative, I hope the rangers fine the people who do not pick up after their dogs though
41	This is a great idea and I fully support the idea, fencing off the whole of the park would help, sometimes a ball will end up on the road and the dog will chase it.
42	Thanks for the opportunity
43	Good work City of Vincent we were hoping something like this would happen for a long time it will definitely benefit the dog owners
44	Well done on a great initiative
45	Great for us dog owners the whole of the reserve is not used a lot of the time and anyway
46	Good to see the dogs getting a fair go
47	Would like to see more regular visits by the rangers
48	The area we already have for dogs is far too small and puts people off going there this would go a long way to help solving the problem, some people still don't do the right thing by others
49.	Thanks for taking the time to resolve a problem that has been going on for some time People are taking the risk of being caught by using the whole reserve
50.	A great incentive I really hope this happens
51.	I use the park on a regular basis with my family, I think this is a great idea and would really help all the users of the park to get together better with more space and freedom.
52.	There will always be people that will disagree with this, but it is a good idea in the interests of the community
53.	Well done COV, hope all the dog owners do the right thing and clean up after their dogs, most dog use the bags provided

**Comments – In Opposition**

Of the seventy-five (75) submissions received opposing the proposal, sixty (60) provided comments as follows:

No.	Comments – In Opposition
1.	Area should be available for general use – not solely dog owners. It is important for residents to have access to large open areas for other activities. Opening the entire area up for use for dogs off leash etc. will reduce safety and functionality for use by walkers, joggers and most importantly, children. Council infrastructure should be available to all.
2.	Whilst I agree with the retain of dog exercise areas, I am of the view that the status of the reserve is primarily sporting with opportunities for dog exercise. Conflict would arise with the status of dog exercise area in its entirety – sporting events would be reduced in their primary activity.
3.	There are plenty of open spaces already approved for dog use within the boundaries of the City of Vincent. There are always deposits of dog faeces that are not cleaned up by the owner at Menzies Park, Woodville Reserve, Britannia, Les Lilleyman Reserve so when sporting groups use these areas they have to clean up or the participants will stand or fall in it. Not acceptable. It is most disappointing that soon there will be no dog free parks, why not? Why can't the 95 dog owners go somewhere else? Unsupervised dogs off leash could scare kids in the playground.
4.	I am concerned that kids playing impromptu games and parents enjoying a relaxed picnic might have an incident with a dog that is too far away from its owner to them to be able to control it. There are plenty of areas within City of Vincent that dog owners can go to take their dog off lead. You want kids to play outside, how about let's keep some parks for dogs to stay on leash.
5.	Regular user of Charles Veryard Reserve and have been on many occasions jumped on by dogs outside the designated dog area and have been extremely frightened. Lack of supervision by dog owners. Also sport balls bitten by dogs. Witnessed elderly people being approached by dogs not on leash. It is a selfish request by dog owners to consider themselves for the SOLE use of the park. Where do humans fit into this?
6.	Regular user of the park and have had troubles with dogs where the dog owners do not have control which results in these dogs running outside the dog area and interfering with activities, biting my soccer balls or at least trying to. Very frustrating and expensive to replace sporting equipment. Have witnessed dog owners carelessly and selfishly leave the dog area without putting a leash on the dog due to their lack of consideration or care for others and the rules of the local council. No Rangers are present in most cases. If the Council cannot control these dog owners who are not the only ones breaking the rules, how can the local council control the new proposal? This situation is unfair and I strongly oppose the proposal.
7.	How is this request going to be controlled having the whole park for dog use when at present it is not being controlled responsibly? Selfish request by dog owners to consider themselves for the SOLE use of the park. There are many other dog parks within the area so why can't these parks be utilised for dog activities.
8.	Concerns with dog control outside of the dog area on any given day and it is common to see dogs running freely and dog owners NOT taking responsibility of controlling them. Selfish request by dog owners to consider themselves for the SOLE use of the park. Residents in the area have the equal right to use the park for their activities. By providing more area for dogs would only add to the current problem of dogs roaming freely in the park therefore creating a legal battle should any person be attacked or bitten.
9.	My son has autism and is __. When he was 2 he was attacked by a puppy. He is terrified of dogs. He will run if a dog runs towards him. He has sensitive hearing and also does not like dogs barking. He has poor motor skills so walking is something easy he can do for exercise. Parks are somewhere peaceful to go and should be enjoyed by everyone in the community.
10.	Dogs off leash should be restricted to before 8am and after 6pm. Need to respect other park users. Safety of others should be high on the agenda! Dogs do not need the whole park to be accessible 24hrs 7 days a week.

No.	Comments – In Opposition
11.	Dog owners frequently fail to collect dog faeces because the dogs roam unattended. Sporting clubs will have to contend with dog faeces over the playing fields. Lack of policing and enforcement will only encourage those who currently litter with their dog droppings to do more of the same. I have personal experience with being attacked by dogs off leash where the owner was unable to restrain the animal.
12.	The reserve is regularly used by many residents, especially young families, outside of the domain of organised sport and to gazette the entire reserve area as an 'off leash' area should not be supported by this Council.
13.	Inadequate signage currently. Inadequate dog faeces bins. Dogs currently allowed to roam free in reserve due to very poor policing, particularly after 5pm. Lack of care by existing dog owners to pick up dog faeces. Family groups in summer using the barbeque area and large groups of residents and casual exercise groups frequenting the reserve. This is not compatible with large numbers of dogs being allowed to roam free. Already been severely scratched by dog not on leash. I believe on legal liability alone to be too great to allow this proposal, particularly when owners of dogs cannot currently abide by the existing policies in place.
14.	All too often dogs are unsupervised as their owners are at the other end of the park. If we are encouraging children to play outside and exercise we have a responsibility to make sure that large grassy areas are safe and attractive.
15.	Existing allocated dog exercise area is large enough and that dogs should not be allowed to run freely on the cricket pitch as sports teams, schools etc use the all purpose area.
16.	Safety concerns if the entire reserve is a dog exercise area. The reserve should be safe and welcoming for all locals, visitors, children, families and the elderly to share the area.
17.	Childrens playground area is currently not fenced. Dogs are already frequently seen at the playground off leash. This is of extreme danger to children who are severely frightened by dogs barking at them. Will put children at risk and will discourage them from utilising the facilities. Dog litter is also prominent – this does not make for a pleasant stroll having to be wary of dog litter.
18.	Not fair to other users eg children and adults. Also not all people clean up their dogs faeces. Who will be responsible if someone is attacked and bitten by dog?
19.	Already designated dog area at reserve. Safety issues for those frightened by dogs – some people would be indirectly excluded from the reserve.
20.	I find it amazing that you have even considered opening the whole area to dogs – the reserve should be there for children and others to enjoy without being harassed by other dogs. Not all dog owners are responsible and pick up after their dogs. Also what happens if anyone is attacked – will the council take responsibility for the injuries etc. I think what they have is adequate and further it should be fenced off.
21.	The reserve is for people who want to enjoy themselves. Dog owners do not pick up after their dog.
22.	Safety concerns – already been attacked by a dog not on leash in another park.
23.	Regular user of the reserve. Changes will result in a substantial loss of security (dog attacks). Location of the nearest park/reserve than can be accessed for exercise by people with similar concerns is Beatty Park however parking is impossible. Current restrictions are already being flouted.
24.	Sporting groups, particularly young children should be able to play sport without fearing dogs jumping up on them or falling into dog faeces. Not all dog owners pick up after their dog. Unhygienic for playing sport.
25.	Regular user – already have a designated area for dog exercise. Already on guard when using the reserve with dogs running freely and in fear of being attacked. Let us have some recreational time in peace and tranquillity.
26.	The reserve is primarily a sporting oval and do not feel that opening it up is compatible with its primary purpose. Owners not picking up dog faeces and faeces being prevalent on the sporting ovals. Who will police dogs off leash while children are playing sport? Dogs running off leash immediately adjacent to a childrens playground posing a threat to the safety of the kids.

No.	Comments – In Opposition
27.	Kids are frightened by dogs that come up to them off leash when they play in the park.
28.	Frequent walker of the reserve – many seniors who use these areas and just far too often dogs are off leash, running freely and without control. Safety concerns. Also dog owners do not pick up after their dogs.
29.	Safety concerns with dogs not on leash and owners not in control of the dog. Children too afraid to jog in park due to fear of being chased. Also some dog owners still do not pick up after their dog. Witnessed dog owners allowing their dogs to urinate on the playground equipment that children use. Is this acceptable?
30.	Very concerned at the risk of injury from dogs to residents, particularly children who should be enjoying free play on the reserve without the fear of dogs. Why is the current dog exercise area not deemed a sufficient space?
31.	Regular user of the reserve and concerned about safety, also dog owners let their dogs run too far away and cannot see their dogs defecate.
32.	Would like the reserve to be left only for sports and our children and adults to enjoy.
33.	Regular user of the reserve and do not want to have strange/unknown dogs freely wandering near while exercising. Children also do not need unknown dogs being off leash in their play areas. Not all dog owners clean up after their dogs.
34.	Leave reserve for children, adults and sports organisations.
35.	Strongly object. Safety concerns for children and the reserve is for the public to use for walking etc and sports venue – not to have to dodge dogs.
36.	Unhygienic to share the same space with dogs – sporting groups and social events. Other parks have been made available for dogs – isn't that enough?
37.	Area is used for sports and it is disgusting that people should be expected to play amongst dog dirt. If dog owners are prepared to clean up – have no objection.
38.	Current area is sufficient. Dog excrement already in reserve and safety concerns.
39.	Regular user – safety concerns for himself and other users of the reserve. Reserve should be available for everyone for quiet enjoyment.
40.	Strongly object. Safety concerns with dogs running unsupervised.
41.	Existing area is sufficient. Safety concerns and also dog owners not picking up after their dogs.
42.	Totally baffled by this request – cannot believe that this being put forward as we already struggling for areas for kids to play outdoors. Already area designated for dog exercise.
43.	Safety concerns with large dogs attacking her small dog – always keeps her dog on a leash. If whole park changed to dog exercise area – will not be utilising the park anymore. Not all people own dogs that go to that park.
44.	Safety concerns for her children with dogs off leash already. The current dog exercise area is sufficient.
45.	Safety concerns for small children playing in reserve. Dog owners do not always clean up after their dog. The reserve should continue to be for everyone's enjoyment and not just dog owners. With more dogs off leash, this will lead to more vicious dog fights.
46.	Safety concerns with children, also it will invite more than locals to use the area. Locals already take little notice of the signage.
47.	Strenuously object. Has actually stopped running in the reserve some time ago because of too many dogs – often off leash or on too long a leash – running and jumping too close – safety concerns.
48.	This proposal will result in more people walking past my house to access the said area causing existing dogs in my area to bark.
49.	Safety concerns. Some dogs/owners are dangerous and to turn this entire area into a leash free zone would be a mistake. Dog owners not always pick up dog faeces.
50.	We are elderly people and have safety concerns.
51.	Cannot see how "Council Approved Activities" would be enforced during sporting events where children are present and potentially at risk. Also witnessed dog owners encouraging their pets to chase ducks and other birds while off leash.
52.	Current dog area should remain unchanged and the dog water bowl and waste bin be moved into the existing permanent exercise designated area.

No.	Comments – In Opposition
53.	The sporting and recreational areas should be reviewed for those purposes without the inconvenience to users of dog droppings etc.
54.	All users in the area should have equal freedom to use all public space without being accosted by anyone else, animals included. Open, mixed use, public spaces make for better community than isolated, specific use, "public space".
55.	Safety concerns for young family. Should this proposal be extended I will hold the Council solely liable for any accident or injury caused.
56.	Safety concerns for families. Also dog owners not always cleaning up after their dogs. Current dog exercise area seems to be sufficient. The right of non-dog owners to enjoy the reserve will be reduced.
57.	Some dog owners completely disregard the need to clean up after their dogs even with the availability of the yellow plastic bags.
58.	I am against the proposal as won't pick up after their dog, leave their dog unattended, allow their dog to indulge in inappropriate behaviour, not all dog owners have the knowledge and skills to control their dogs which in turn affects other users, tis will impede on other peoples recreational time on the reserve.
59.	I am a mother of three children under the age of 10 and will affect them using the playground area of the reserve; my middle child already has a phobia about dogs, if the proposal goes ahead than the playground should be fenced off.
60.	There will be problems with dogs attacking people and other dogs by owners who are not responsible please do not let this proposal go through.

#### Comments – Other

There were six (6) submissions in the 'other' category received, with five (5) providing comments as follows:

No.	Comment
1.	The main concern is the peace of mind and safety of the children and their guardians using the playground there, however I rarely go there myself.
2.	The current dog exercise area would not be suitable for the planned density of the population increase through high rise strata apartments in the area. Dogs running loose will possibly interfere with picnickers, dog faeces may be a problem also, it would be suggested that if approval is given for the entire reserve to be used as a dog exercise area that it be conducted on a twelve month trial period.
3.	I use the oval for my exercise and would like to be assured the Council monitor and evaluate this proposal and check for dog owners not collecting after their dogs. If additional maintenance costs are required for the proposal the council should revoke the privilege.
4.	I am not against the proposal however are concerned that uncontrolled dogs may attack children and other animals.
5.	I am not for or against the proposal however I can see there may be problems with owners not collecting after their dogs, this will need to be looked at.

#### Summary

The majority of submissions received are in favour of the proposal; more than half provided comments. The main substance of the written comments supported a joint use of Charles Veryard Reserve as a dog exercise area, subject to being used for an approved Council activity.

The main points referred to:

- Ensuring that dog owners picked up after their dogs
- Believe the current exercise area is insufficient
- The installation of fencing around the reserve
- The benefits of a wider area for larger dogs to be exercised reducing the risk of dog altercations in the current smaller congested Dog exercise area.

A significant percentage of the submissions opposed to the proposal provided written comment that they did not support the whole reserve becoming a dog exercise area.

The main concerns raised were:

- A reduction in family areas for picnics, etc;
- Hygiene issues of dog excrement and urine in family recreation, sporting areas;
- Safety, in particular that of children and other dogs;
- Uncontrolled dogs running all over the park and disrupting family events; and
- Believed that the current dog exercise area was sufficient.

Five (5) of the 'other' submissions provided comment, It is noted that, whilst the 'other' box was ticked, the majority of these submissions had concerns about public safety with uncontrolled dogs by owners and dog excrement issues.

#### **LEGAL/POLICY:**

As a result of amendments to the *Dog Act 1976* and Dog Act Regulations in October/November 2013, the specifying of dog exercise areas no longer requires an amendment to the Local Government Local Law relating to dogs. The process now requires an Absolute Majority Decision of the Council and twenty eight (28) days of Local Public notice to be given of the Council's intention.

Section 31 (2B) provides:

*A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited;*

- (a) *at all times; or*
- (b) *at specified times.*

Section 31 (3A) provides:

*A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.*

The relevant sections of the *Dog Act 1976* are as follows:

Section 31 (3C) provides:

At least 28 days before specifying a place to be

- (a) *a place where dogs are prohibited at all times or at a time specified under subsection (2B); or*
- (b) *a dog exercise area under subsection (3A); or*
- (c) *a rural leashing area under subsection (3B); or*

*a local government must give local public notice as defined in the Local Government Act 1995 section 1.7 of its intention to so specify.*

#### **RISK MANAGEMENT IMPLICATIONS:**

**Medium** As a result of dogs being unleashed, there may be incidences where dogs become aggressive to both people and other dogs.

Section 32 of the *Dog Act 1976* requires that dogs be kept under effective control by capable persons when being exercised in dog exercise areas. Rangers will conduct patrols of the reserve to mitigate and address any contraventions of the *Dog Act* or Local Law.

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**STRATEGIC IMPLICATIONS:**

In keeping with the City's *Strategic Plan 2013-2017*, Objective 3.1.5(b) states:

*"Deliver a range of leisure programs to encourage structured and unstructured recreation in the community."*

**FINANCIAL/BUDGET IMPLICATIONS:**

There will be a need to replace the existing signage throughout the park. The City will be required to advertise its intention to specify the dog exercise area in accordance with the *Local Government Act 1995 section 1.7*. The estimated cost is \$1,000 and will be funded from the Charles Veryard reserve operating budget.

**COMMENTS:**

The exercise area may be used by dog owners when no other Council supported or endorsed activity is taking place. A recent decision by Council to allow the north side of Britannia Road reserve to be used as a dog exercise area except when being used as an approved activity has so far been successful with few complaints being received.

It is therefore recommended the proposed changes be supported for dog owners and other users of Charles Veryard Reserve. The City's Rangers will continue to maintain a vigilant stance in respect to the policing of the reserve for any contraventions of the Dog Act 1976 as amended.

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**9.4.5 LATE ITEM: Documentation of Mural Arts Program**

**ITEM TO BE ISSUED PRIOR TO THE MEETING.**

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## 9.5 CHIEF EXECUTIVE OFFICER

### 9.5.1 Information Bulletin

<b>Ward:</b>	-	<b>Date:</b>	10 October 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	Len Kosova Chief Executive Officer		

#### OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 10 October 2014, as distributed with the Agenda.

#### DETAILS:

The items included in the Information Bulletin dated 10 October 2014 are as follows:

ITEM	DESCRIPTION
IB01	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 17 September 2014
IB02	Minutes of the Parks People Working Group (PPWG) Meeting held on 2 July 2014
IB03	Minutes of the Parks People Working Group (PPWG) Meeting held on 3 September 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**
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