



**CITY OF VINCENT**

# **ORDINARY COUNCIL MEETING**

**4 November 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 4 November 2014** at 6.00pm.

Len Kosova  
CHIEF EXECUTIVE OFFICER

30 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**

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

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

### **Copyright**

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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 Mr D Maier relating to questions taken on notice at the Ordinary Meeting of Council held on 21 October 2014.
      - 3.2** Letter to Ms L Wilson relating to questions taken on notice at the Ordinary Meeting of Council held on 21 October 2014.
  4. **Applications for Leave of Absence**
    - 4.1 Cr Julia Wilcox applying for leave of absence from 13 November 2014 to 16 November 2014 inclusive due to personal commitments.
  5. **The Receiving of Petitions, Deputations and Presentations**

Nil.
  6. **Confirmation of Minutes**
    - 6.1 Ordinary Meeting of Council held on 7 October 2014.
    - 6.2 Ordinary Meeting of Council held on 21 October 2014.
    - 6.3 Special Meeting of Council held on 28 October 2014 – regarding Local Government Reform.
  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.
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**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”)**

14.1 CONFIDENTIAL ITEM: Disposal of the Property at No. 291 (Lot 6) and 295 (Lot 7) Vincent Street, Leederville – Major Land Transaction (PRO0527/PRO0631) **[Absolute Majority Decision Required]**

14.2 CONFIDENTIAL ITEM: Disposal of the Property at No. 81 (Lot 500) Angove Street, North Perth – Major Land Transaction (PRO2919/PR52016) **[Absolute Majority Decision Required]**

14.3 CONFIDENTIAL ITEM: Design Advisory Committee (DAC) – Appointment of Chairperson and Deputy Chairperson (SC338) **[Absolute Majority Decision Required]**

**15. Closure**

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**INDEX  
(4 NOVEMBER 2014)**

<b>ITEM</b>	<b>REPORT DESCRIPTION</b>	<b>PAGE</b>
<b>9.1</b>	<b>PLANNING SERVICES</b>	
9.1.1	No. 110 (Lot: 442 D/P: 2334) Scarborough Beach Road, Mount Hawthorn – Proposed Construction of a Two-Storey Mixed Use Development (PR16374; 5.2014.427)	1
9.1.2	No. 200 (Lot 44; D/P 3204) Vincent Street, North Perth – Proposed Demolition of Existing House and Construction of a Three Storey Building Consisting of Seven Multiple Dwellings and Associated Car Parking (PRO5492; 5.2014.410.1)	12
9.1.3	Scheme Amendment No. 39 Final Approval – Multiple Dwellings in the Mount Hawthorn Precinct (SC411)	26
<b>9.2</b>	<b>TECHNICAL SERVICES</b>	
9.2.1	Charles Veryard Reserve – Clubrooms and Pavilion Upgrade (SC531)	31
9.2.2	Robertson Park - Proposed Installation of Western Power Transformer (SC567)	35
<b>9.3</b>	<b>CORPORATE SERVICES</b>	
9.3.1	Financial Statements as at 30 September 2014 (SC357)	39
<b>9.4</b>	<b>COMMUNITY SERVICES</b>	
9.4.1	Introduction of Annual Registration Fee for Privately Registered Car Parks (PKG0040) ) <b>[Absolute Majority Decision Required]</b>	46
9.4.2	Open House Perth 2014 – Reduction of sponsorship (SC1448)	48
9.4.3	On Road Café's (ORC) and PARKlets (SC226)	52
9.4.4	Light Up Leederville Carnival - Use of Britannia Road Reserve for Parking (SC1527)	56
<b>9.5</b>	<b>CHIEF EXECUTIVE OFFICER</b>	
9.5.1	Use of the Council's Common Seal (SC406)	61
9.5.2	Approval of Council Meeting and Forum Dates for 2015	62
9.5.3	Information Bulletin	65
<b>10.</b>	<b>COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	
	Nil.	66
<b>11.</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (Without Discussion)</b>	
	Nil.	66
<b>12.</b>	<b>REPRESENTATION ON COMMITTEES AND PUBLIC BODIES</b>	
	Nil.	66
<b>13.</b>	<b>URGENT BUSINESS</b>	
	Nil.	66

- 14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED** (*“Behind Closed Doors”*)
- 14.1 CONFIDENTIAL ITEM: Disposal of the Property at No. 291 (Lot 6) and 295 (Lot 7) Vincent Street, Leederville – Major Land Transaction (PRO0527/PRO0631) **[Absolute Majority Decision Required]** 67
- 14.2 CONFIDENTIAL ITEM: Disposal of the Property at No. 81 (Lot 500) Angove Street, North Perth – Major Land Transaction (PRO2919/PR52016) **[Absolute Majority Decision Required]** 68
- 14.3 CONFIDENTIAL ITEM: Design Advisory Committee (DAC) – Appointment of Chairperson and Deputy Chairperson (SC338) **[Absolute Majority Decision Required]** 69
- 15. CLOSURE** 69
-

## 9.1 PLANNING SERVICES

**9.1.1 No. 110 (Lot: 442 D/P: 2334) Scarborough Beach Road, Mount Hawthorn – Proposed Construction of a Two-Storey Mixed Use Development**

<b>Ward:</b>	North	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Mount Hawthorn; P1	<b>File Ref:</b>	PR16374; 5.2014.427
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans <a href="#">003</a> – Development Context Report <a href="#">004</a> – Car Parking/Bicycle Parking Calculation		
<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 Cocoon Design and Construct on behalf of the owners Tropiccoast Investments Pty Ltd and B Matteo for the Proposed Construction of a Two-Storey Mixed Use Development comprising of Two (2) Offices, One (1) Three (3) Bedroom Multiple Dwelling and Associated Car Parking at No. 110 (Lot: 442 D/P: 2334) Scarborough Beach Road, Mount Hawthorn as shown on plans date-stamped 7 October 2014 and amended plans date-stamped 9 October 2014, included as Attachment 002, subject to the following conditions:

1. **Boundary Wall**

The proposed boundary wall fronting Nos. 104 – 106 Scarborough Beach Road, Mount Hawthorn is required to incorporate a minimum of two (2) significant design features to the satisfaction of the City. Examples of such features include significant open structures, recesses and/or planters facing the property at regular intervals, varying materials, finishes and/or colours, or attaching/integrating features into the walls design;

2. **Street Interaction**

Windows, doors and adjacent areas fronting Scarborough Beach Road, Mount Hawthorn shall maintain an active and interactive relationship with the street;

3. **On-Site Parking**

A minimum of two (2) residential car bays and one (1) visitor bay are to be provided on site for the multiple dwelling component of the development, and a minimum of one (1) commercial car bay and one (1) ACROD bay are to be provided for the commercial component of the development;

4. **Car Parking and Accessways**

- 4.1 The car park shall be used only by residents and visitors directly associated with the development;
- 4.2 The visitor bay is to be marked accordingly; and
- 4.3 Car parking aisles shall comply with the minimum width in accordance with the requirements of AS2890.1;

5. **Verge Trees**

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

6. **Power Pole**

The power pole shall be relocated at the cost of the applicant to allow the crossover to be constructed perpendicular to the kerb;

7. **Building Appearance**

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

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

8.1 **Amended Plans**

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

8.1.1 **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;

8.1.2 **Redundant Crossover**

The removal of redundant crossovers;

8.1.3 **Awning**

An awning to be provided the entire width of the Scarborough Beach Road elevation. The awning is to have a minimum depth of 1.5 metres and a minimum clearance of 2.75 metre from the finished footpath level; and

8.1.4 **Landscaping**

A mature tree or other appropriate landscaping to be agreed by the City and provided by the applicant within 2 metres of the rear lot boundary;

8.2 **Landscape and Reticulation Plan**

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

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

8.2.2 All vegetation including lawns;

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- 8.2.3 Areas to be irrigated or reticulated;
- 8.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 8.2.5 The details of plant species and materials to be used.
- 8.2.6 The location, species and size of the proposed screening trees running along the southern boundary;

**8.3 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;

**8.4 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;

**8.5 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

**8.6 Waste Management**

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

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

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

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

**9.1 Clothes Drying Facility**

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

**9.2 Store Room**

The multiple dwelling shall be provided with a store room with a minimum dimension of 1.5m, and a minimum area of 4 square metres, in accordance with the Residential Design Codes of WA 2013;

**9.3 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;

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**9.4 Bicycle Bays**

A minimum of one (1) residential bicycle bay and two (2) Class 3 bicycle bays are to be provided on-site. The 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;

**9.5 Landscaping**

In relation to condition 8.2, all works shown in the plans approved with the Building Permit shall be undertaken in accordance with the approved plans and maintained thereafter to the satisfaction of the City at the applicant's expense; and

**9.5 Acoustic Report**

With regard to condition 8.3, certification from an Acoustic Consultant that the measures have been undertaken to the satisfaction of the City shall be provided to 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 8.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
3. A Road and Verge security bond for the sum of \$2500, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
4. Any new street/front wall, fence and gate within the Scarborough Beach Road 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 8.5, 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. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage.

**PURPOSE OF REPORT:**

The proposal is referred to Council for determination given the proposal is a mixed use development.

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**BACKGROUND:**

Date	Comment
26 February 2013	Council refused an application for the proposed Construction of a Three-Storey Office Building and Associated Car Parking.
14 October 2011	Development Application Approved under Delegated Authority for the Demolition of Existing Commercial Building and Construction of a Two-Storey Commercial Building comprising of Office and Medical Consulting Rooms.
14 April 2009	Council resolved to approve the Demolition of Existing Building (Hire Yard/Open Air Display) and construction of Three-Storey Mixed Use Development comprising Six (6) Multiple Dwellings, Two (2) Offices and Associated Basement car parking

**DETAILS:**

<b>Landowner:</b>	Tropicoast Investments Pty Ltd and B Matteo
<b>Applicant:</b>	Cocoon Design and Construct
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: Residential R60
<b>Existing Land Use:</b>	Vacant Land
<b>Use Class:</b>	"P" & "SA"
<b>Use Classification:</b>	Multiple Dwelling, Office
<b>Lot Area:</b>	407 square metres
<b>Right of Way:</b>	Not applicable

The proposed application is for the Construction of Two-Storey Mixed-Use Development comprising Two (2) Offices, One (1) Three Bedroom Multiple Dwelling and associated five (5) car parking bays.

**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>Plot Ratio</b>	✓	
<b>Street Setback</b>		✓
<b>Lot Boundary Setbacks</b>		✓
<b>Building Height/Number of Storeys</b>	✓	
<b>Open Space</b>	✓	
<b>Bicycles</b>		✓
<b>Development Guidelines for Commercial and Mixed Use Development Variations</b>		✓
<b>Access &amp; Parking</b>	✓	
<b>Privacy</b>	✓	
<b>Solar Access</b>	✓	
<b>Site Works</b>	✓	
<b>Utilities &amp; Facilities</b>		✓
<b>Surveillance</b>	✓	

**Acceptable Variations**

<b>Issue/Design Element:</b>	<b>Street Setback</b>
Requirement:	<p><b>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2</b> Scarborough Beach Road Ground floor = Average of 5 adjoining properties either side of the development = 7.17metres Upper floor = Balcony 1 metre behind ground floor setback (i.e. 8.17m)</p>
Applicant's Proposal:	<p>Ground floor = 0.5 metres (proposed variation of 6.67 metres) Upper floor = Balcony directly above ground floor (proposed variation of 8.17 metre)</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>
Applicant justification summary:	Nil.
Officer technical comment:	<p>The street setback is considered to meet the Design Solutions of the Residential Design Elements Policy due to the following:</p> <ul style="list-style-type: none"> <li>• It is considered that this portion of Scarborough Beach Road is ad-hoc. There is a combination of residential properties and commercial properties fronting the street. The newer developments have a reduced street setback with the older commercial uses having a greater setback to provide car parking for the site.</li> <li>• The proposed 0.5 metre street setback will result in better interaction with the street. The development adjoins a two-storey commercial property to the west which provides a 'nil' street setback and six two-storey town houses to the east which have an average setback of 2 metres.</li> <li>• The use of a balcony on the upper floor will enable better surveillance onto the street.</li> <li>• In addition, landscaping is provided along the street frontage of the property to soften the appearance of the building to the street.</li> </ul>

Issue/Design Element:	Lot Boundary Setbacks
Requirement:	<p><b>Residential Design Codes Clause 6.1.4</b></p> <p><b>Upper floor:</b> Eastern boundary = 2.2 metres</p> <p><b>Walls on boundary:</b> Maximum height – 3.5 metres Average height – 3 metres</p>
Applicant's Proposal:	<p><b>Upper floor:</b> Eastern boundary = Nil (proposed variation of 2.2 metres)</p> <p><b>Walls on boundary:</b> Maximum height – 6.2 metres (proposed variation of 2.7 metres) Average height – 5.5 metres (proposed variation of 2.5 metres)</p>
Design Principles	<p><b>Residential Design Codes P4.1</b></p> <p>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>“The proposed new building reflects the precedence set by both neighbouring properties. 112 Scarborough Beach Road is a newly built tilt up commercial building which has zero lot setbacks to the front and side boundaries. 104 Scarborough Beach Road has 6 townhouses. They have a minimal front setback 1 townhouse has a 2 storey tilt up wall on our boundary”.</i></p>
Officer technical comment:	<p>The lot boundary setbacks meet the Design Principles of the R-Codes due to following:</p> <ul style="list-style-type: none"> <li>• The proposed boundary wall abuts the driveway access of the adjoining six (2) two-storey grouped dwellings.</li> <li>• The location of the parapet wall on the eastern boundary as opposed to abutting the existing commercial property to the west is the preferred design option to limit bulk and create a more aesthetically pleasing design. This design will not be detrimental to the amenity of the adjoining residential properties, particularly as it does not result in overshadowing, overlooking or loss of privacy.</li> <li>• In addition, the applicant has advised they will finish the wall to the satisfaction of the adjoining residential properties.</li> </ul>

**Variations Requiring Conditions**

<b>Issue/Design Element:</b>	<b>Utilities and Facilities</b>
Requirement:	<b>Residential Design Codes Clause 6.4.6 Store Room</b> An enclosed lockable storage area with a minimum dimension of 1.5m with an internal area of at least 4 square metres.
Applicant's Proposal:	<b>Store Room</b> Storage split over both floors. 3 square metre storage on ground floor. 1 square metre storage within apartment.
Design Principles	<b>Residential Design Codes Clause 6.4.6 Store Room</b> External location of storeroom, rubbish collection/bin areas, and clothes drying areas where these are: <ul style="list-style-type: none"> <li>• convenient for residents;</li> <li>• rubbish collection areas which can be accessed by service vehicles;</li> <li>• screened from view; and</li> <li>• able to be secured and managed.</li> </ul>
Applicant justification summary:	Nil.
Officer technical comment:	There is sufficient area on site for the store rooms to be increased in size to meet the minimum area criteria and for the drying areas to be accommodated. Conditions are therefore recommended to any approval to this effect.

<b>Issue/Design Element:</b>	<b>Commercial and Mixed Use Policy</b>
Requirement:	<b>Development Guidelines for Commercial and Mixed Use Developments Policy No. 7.5.12 Landscaping</b> Landscaping for a minimum width of 2 metres, including deep soil planting, including a minimum of 100 litre trees at a maximum spacing of 5 metres across the full length of the site and/or retention of existing mature trees and vegetation incorporated into the rear of the proposed development as a buffer to the rear abutting property.  <b>Awnings</b> Commercial and Mixed Use Developments are to provide awnings that respect the preferred character or existing character of a streetscape to provide shelter for public streets and spaces and to contribute to the legibility of buildings, whilst adhering to the minimum standards for awnings detailed in the City's Local Law 2008 relating to Local Government Property.
Applicant's Proposal:	<b>Landscaping</b> Landscaping not incorporated into rear of the site as it is utilised for bicycle parking and bin storage.  <b>Awnings</b> No awning proposed.

<b>Issue/Design Element:</b>	<b>Commercial and Mixed Use Policy</b>
Design Principles	<p><b>Development Guidelines for Commercial and Mixed Use Developments Policy No. 7.5.12</b></p> <p>P1.2.3 Sufficiently ensures that the proposed development demonstrates no greater impact on the outdoor living area and habitable rooms with respect to privacy.</p> <p>AC2.2.1 Provide continuous awnings along the full length of retail/commercial frontages and key pedestrian walking routes.</p>
Applicant justification summary:	Nil.
Officer technical comment:	<p>The proposal partially meets the requirements of design elements due to the following:</p> <ul style="list-style-type: none"> <li>• The proposal restricts development to approximately 50 per cent of the front of the site with car parking being located at the rear. This ensures that the proposed development does not have an impact on the adjoining residential properties.</li> <li>• The subject site was cleared during the development of the adjoining commercial property which removed all mature trees on the site. The proposal has no substantial development located within 2 metres of the rear property boundary which would permit the provision of landscaping to be provided. As such a condition is recommended that landscaping be incorporated at the rear to create a buffer between the residential and commercial abutting uses.</li> <li>• The proposed office use on the ground floor provides good connection with the street with one large window that extends the width of the ground floor frontage. The rooms at the front of the ground floor enables a greater interactive frontage to the street whilst the areas to the rear of the floor feature amenities such as toilets and tea rooms required to enable use by tenants.</li> <li>• The proposal does not incorporate an awning, however to maintain a consistent appearance in line with the adjoining commercial property a condition is recommended to this effect.</li> </ul>

**Proposed Car Parking and Bicycle Parking**

The proposed car parking and bicycle parking complies with the requirements of the R-Codes 2013 and the City's Parking and Access Policy No. 7.7.1, but require a condition to ensure they are appropriately allocated.

The car parking and bicycle parking calculations are provided within Attachment 004.

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Comment Period:	8 September 2014 to 1 October 2014		
Comments Received:	Two (2) letters of general concern, and one (1) objection submissions were received. Please note: all comments received were in regards to the boundary wall.		

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Boundary Wall</u></p> <p><i>“Given the nature of the block and the plans proposed, a set back of the first floor from the eastern boundary would significantly impact their development. As a compromise, incorporating some design element into this wall to soften the appearance and bulk of this wall, to decrease the negative impact on the amenity of our property and be more responsive to the adjoining residential development”.</i></p>	<p>The applicant has advised they are willing to work with the adjoining properties at Nos. 104-106 Scarborough Beach Road to incorporate a design feature into the parapet wall to limit any negative impact on the amenity of their properties. As such, this has been conditioned accordingly.</p>

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

**Design Advisory Committee:**

Referred to Design Advisory Committee: No

The proposed development did not require referral to the DAC as it was considered that the proposal is generally consistent with the Local Planning Policy objectives and below the general threshold in terms of height and scale for DAC referral.

**LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Construction of a Two-Storey Mixed Use Development Comprising of Two (2) Office, One (1) Three Bedroom Multiple Dwelling 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 Commercial and Mixed Use Developments Policy No. 7.5.12; 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.”*

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**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

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

ENVIRONMENTAL	
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:**

**Technical and Health Services**

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

**Planning**

The proposed development will improve the streetscape and surrounding area through the redevelopment of a currently vacant block. Overall, the proposed variations to street setback, lot boundary setbacks and the Commercial and Mixed Use Policy are supported, given that the proposal will provide an interactive street frontage, articulation to the boundary wall to limit building bulk and a contemporary residential upper storey layout.

The proposed office use on the ground floor is considered to be of a small scale and low intensity and operate on a typical work week function. The use of the premises in both commercial and residential nature will also enable the provision of an alternative form of housing in the locality.

**Conclusion:**

In light of the above, it is recommended that the proposed development be approved subject to the above mentioned conditions.

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**9.1.2 No. 200 (Lot 44; D/P 3204) Vincent Street, North Perth – Proposed Demolition of Existing House and Construction of a Three Storey Building Consisting of Seven Multiple Dwellings and Associated Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Smith's Lake; P6	<b>File Ref:</b>	PRO5492; 5.2014.410.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans <a href="#">003</a> – Applicant Justification Submissions <a href="#">004</a> – Car and Bicycle Parking Calculations <a href="#">005</a> – Design Advisory Committee Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	P Stuart, 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 Doepel Marsh Architects Pty Ltd, for the proposed demolition of existing house and construction of seven multiple dwellings and associated car parking within a three storey building at No. 200 (Lot 44; D/P3204) Vincent Street, North Perth as shown on amended plans date-stamped 04 September 2014 and 24 September 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**

2.1 The existing boundary wall at No.198 Vincent Street shall not be destroyed or damaged as a result of eastern side boundary wall of this proposal;

2.2 The owners of the subject land shall finish and maintain the surface of the proposed boundary wall as fully rendered or face brickwork to the satisfaction of the City;

3. **Verge Treatment**

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

4. **Car Parking and Accessways**

4.1 A minimum of seven (7) residential car bays and two (2) visitor bays, 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 car park area for visitors shall be shown as common property on any strata plan;

5. **Building Appearance**

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Vincent 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. **Right of Way**

6.1 All permanent structures including retaining shall be offset 0.5 metre from the rear property boundary abutting the Right-of-Way to facilitate a future Right-of-Way widening; and

6.2 This area referred to above shall be sealed, bituminised and drained in accordance to the City's specifications by the developer's cost as part of the building programme;

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

7.1 **Percent for Public Art**

Advise the City how the proposed development will comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers. A value of \$12,500, being the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,250,000), is to be allocated towards the public art;

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

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

8.1.1 **Waste Management**

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

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

(c) Waste management for the development shall thereafter comply with the approved Waste Management Plan;

8.1.2 **Pedestrian Access/Vehicle driveway**

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

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**8.2 Landscape and Reticulation Plan**

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

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

- 8.2.1 The location and type of existing and proposed trees and plants;
- 8.2.2 All vegetation including lawns;
- 8.2.3 Areas to be irrigated or reticulated; and
- 8.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;

**8.3 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;

**8.4 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;

**8.5 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

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

The owner shall agree in writing to a notification being lodged

- 1) being lodged under section 70A of the Transfer of Land Act in accordance with the Transfer of Land Act prior to the first occupation of the development.

And

- 2) being placed on the Sales Contract:

8.6.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling. The on-site car parking was in accordance with the requirements of the Residential Design Codes; and

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

9.1 **Screen Wall**

The proposed screen wall façade on the western side shall be installed to the satisfaction of the City at the developer's cost;

9.2 **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;

9.3 **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;

9.4 **Management Plan-Vehicular Entry Gates**

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

9.5 **Landscaping**

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

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

With regard to condition 8.6, this notification shall be lodged and registered in accordance with the Transfer of Land Act;

9.7 **Residential Bicycle Bays**

A minimum of two (2) 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

9.8 **Acoustic Report**

With regard to condition 8.3, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

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**ADVICE NOTES:**

1. With regard to condition 2.2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary wall;
2. With regard to condition 8.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
3. A Road and Verge security bond for the sum of \$2500 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
4. Any new street/front wall, fence and gate within the Vincent 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. In relation to the road widening reserve for Vincent Street, the land owners shall not seek from either the City or the Western Australian Planning Commission compensation for any loss, damage or expense to remove the approved works (landscaping and paving) which encroaches the Other Regional Road reservation/road widening requirement when the road reservation/road widening/road upgrade is required;
6. With regard to condition 8.5, no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings; and
7. With regards to the conditions 7 and 9.1, the City will determine whether the screen wall façade can fulfil the requirement for Public Art or whether an additional piece/amount as flagged in condition 7 is required.

**PURPOSE OF REPORT:**

The proposal is referred to Council for determination as it is for seven multiple dwellings and more than five objections have been received relating to the proposal.

**BACKGROUND:**

Nil.

**History:**

Nil.

**Previous Reports to Council:**

Nil.

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**DETAILS:**

<b>Landowner:</b>	JMD Vincent Pty Ltd
<b>Applicant:</b>	Doepel Marsh Architects Pty Ltd
<b>Zoning:</b>	Residential R60
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Multiple Dwellings
<b>Use Classification:</b>	"P" Permitted Use
<b>Lot Area:</b>	493.127 square metres
<b>Right of Way:</b>	Rear northern side, sealed, 5 metres in width and City owned,

The proposed application is for the demolition of an existing single house and the construction of a three (3) storey multiple dwelling development comprising of one (1) single bedroom unit, six (6) two bedroom units and associated car parking totalling seven bays for residents and two bays for visitors at ground level.

**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		✓
Front Fence	✓	
Front Setback		✓
Building Setbacks		✓
Building on Boundary		✓
Building Height	✓	
Building Storeys	✓	
Open Space	✓	
Bicycles		✓
Access & Parking	✓	
Privacy	✓	
Solar Access	✓	
Roof Forms		✓
Essential Facilities	✓	
Surveillance	✓	
Landscaping	✓	

**Acceptable Variations**

Issue/Design Element:	Plot Ratio
Requirement:	Residential Design Codes Clause 6.1.1 0.7= 345.19 square metres
Applicant's Proposal:	0.965 = 476 square metres (variation of 130.81 square metres)
Design Principles:	Development of the building is at a bulk and scale intended in the local planning scheme and is consistent with the existing or future desired built form of the locality.
Applicant justification summary:	<i>"The additional plot ratio is a result of DAC's request to anchor the building at ground level. This meant adding a dwelling at ground level"</i>

Issue/Design Element:	Plot Ratio
Officer technical comment:	<p>The additional ground level unit was requested by the Design Advisory Committee (DAC) through streetscape activation and in accordance with Clause SADC12 of the City's Residential Design Elements policy. It is noted that the additional dwelling is 50sqm in extent, while the excess plot ratio is 130.81sqm.</p> <p>The addition of the ground floor unit adds to a more effective use of the site and contributes to the streetscape.</p> <p>The proposed development is considered to comply with the design principles as the subject site is located in an area which is steadily evolving to more closely resemble the bulk and scale of development envisioned by the City along Vincent and Charles Streets through the applied density. Currently the streetscape is host to a variety of development types ranging from single storey through to multi storey developments, the general trend being replacement of the older stock with new development height and density</p> <p>The bulk, scale and height of the development have been addressed through the articulated design and use of differing materials. The variation to the plot ratio is not expected to impact on the surrounding area in terms of bulk and scale given its proximity three public parks, a high frequency bus route, the Leederville Town Centre as well as similar developments nearby.</p> <p>The proposed plot ratio is considered consistent with the future desired built form of the locality.</p>

Issue/Design Element:	Street Setback
Requirement:	<p><b>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2</b></p> <p>Vincent Street Ground Floor average= 5 metres Upper Floors Wall = 2 metres behind each portion of the ground floor setback from the front boundary (7.0 metres) Balcony = 1 metre behind the ground floor setback from the front boundary (6.0 metres)</p>
Applicant's Proposal:	<p>Ground Floor= 2.4 metres (variation of 2.6 metres) First Floor Wall= 2.4 metres (variation of 4.6 metres) Balcony= 1.4 metres (variation of 3.6 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> </ul>

Issue/Design Element:	Street Setback
	<ul style="list-style-type: none"> <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>
Applicant justification summary:	<i>The applicant considers the front setback acceptable as it satisfies the deemed-to-comply principles of the R-Codes.</i>
Officer technical comment:	Unlike the remaining three lots in this section of Vincent Street, the subject lot has already ceded a strip 2.5 metres in width to Vincent Street. Accordingly the front setback line established by the other lots has technically created the setback variation, while in reality the building will be situated in line with the existing buildings on this side of Vincent Street.

Issue/Design Element:	Building Setbacks
Requirement:	<p><b>Residential Design Codes Clause 6.1.4</b>            First Floor            Eastern boundary= 1.25 metres to 2.8 metres            Second Floor            Eastern boundary= 1.4 metres to 4.6 metres</p>
Applicant's Proposal:	<p>First Floor            Eastern boundary= 1.25 metres to 1.5 metres (maximum variation of 1.3 metres)            Second Floor            Eastern boundary= 1.25 metres to 1.5 metres (variation of 0.15 metres to 3.1 metres)</p>
Design Principles:	<p><b>Residential Design Codes Clause 6.1.4 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:	<i>The development has been staggered in setbacks to achieve maximum northern light. In turn, this reduces the visual bulk of the building. Features such as screening and landscaping further reduce the bulk of the building upon the eastern side adjoining properties.</i>

Issue/Design Element:	Building Setbacks
Officer technical comment:	<p>The proposed articulation is considered sufficient to minimise the effects of building bulk, while the orientation means there will be minimal loss of sunlight and ventilation throughout the majority of the day.</p> <p>Whilst the affected adjoining landowners have objected based on lack of sunlight, the development complies with overshadowing requirement as per the Residential Design Codes 2013. In addition all major openings as well as the footpath access points along the eastern side upper floors have been screened to prevent any privacy impact on the adjoining properties. Therefore the impacts relating to boundary setbacks are considered minimal and acceptable accordingly.</p>

Issue/Design Element:	Building on Boundary
Requirement:	<p><b>Residential Design Codes Clause 6.1.4</b></p> <p>1) Walls on the boundary are deemed-to-comply up to one side boundary only;</p> <p>2) Ground Floor Eastern boundary = walls on the boundary to no higher than 3.5 metres at an average of 3.0 metres; length no greater than 66.67% (23.11 metres) of the length of the boundary.</p>
Applicant's Proposal:	<p>1) Boundary walls to Eastern and western side</p> <p>2) Ground Floor Eastern boundary= Store rooms and bin store located on the boundary at an average height of 2.3 metres and to a maximum length of 70.8% (24.8 metres).</p>
Design Principles:	<p><b>Residential Design Codes Clause 6.1.4 P4.2</b></p> <p>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:	<p><i>The setbacks to the east boundary will not affect the neighbour in terms of bulk and scale as part of the development is at single storey on the ground level.</i></p>
Officer technical comment:	<p>The western side wall abuts a portion of land currently used as a park. Therefore there are no amenity impacts associated with this elevation.</p> <p>The boundary wall on the eastern side makes for a more effective use of space. Being lower than the eastern side neighbour, the wall will protrude only 0.5 metres higher than any existing dividing fence would.</p>

<b>Issue/Design Element:</b>	<b>Building on Boundary</b>
	<p>The additional 1.7 metres of wall length is acceptable as it will assist in ameliorating noise and headlight glare from cars parking and increase the privacy of the adjoining lot.</p> <p>The orientation of the lots means there will not be a loss of sunlight or ventilation resulting from the boundary wall.</p> <p>In light of the above, and as there is no effect on the streetscape, the impacts associated with the boundary wall are considered acceptable in accordance with the R-Codes requirements.</p>

<b>Issue/Design Element:</b>	<b>Roof Forms</b>
Requirement:	<p><b>Residential Design Elements Policy No. 7.2.1 Clause 7.4.3 BDADC 3</b></p> <p>The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged.</p>
Applicant's Proposal:	10 degrees to 20 degrees
Design Principles	<p><b>Residential Design Elements Policy No. 7.2.1 Clause 7.4.3 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> <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:	<p>The proposed development is considered to comply with this design principles:</p> <ul style="list-style-type: none"> <li>• The design of the proposed roofing 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>• It is also noted that a pitched roof would result in more overshadowing of the adjoining property rather than skillion roof format.</li> <li>• The Vincent Street streetscape contains a mixture of roof pitch types ranging with some flat roofed dwellings to sharply pitched roofs. Therefore the proposed flat roof structure will be out of context with the existing built form</li> </ul>

Variations requiring conditions

Issue/Design Element:	Bicycle Parking
<p>Residential -Residential Design Codes Clause 6.3.3 C3.2</p> <ul style="list-style-type: none"> <li>• 1 bicycle space to each 3 dwellings for residents (seven dwellings) = 2.3 Bicycle Bays; and</li> <li>• 1 bicycle space to each 10 dwellings for visitors (7 dwellings) = 0.7 bicycle bays</li> </ul> <p>Totals 3 bicycle bays</p> <p><u>Required</u> Residents: 2.3 spaces Visitors: 0.7 spaces Total: 3 spaces</p>	<p><u>Provided</u> Nil. A condition of approval has been applied to the recommendation for the installation of three bicycle bays.</p>

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comment Period:	08 September 2014 to 01 October 2014. Consultation included a sign on site and a newspaper notification.
Comments Received:	Seven (7) submissions were received objecting to the proposed development.

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Bulk</u></p> <p>The bulk and scale of the building is not consistent with the existing surrounds of single storey dwellings.</p> <p>Plot ratio calculation is pointless if not upheld or complied with. On the basis of a density bonus, what is the developer providing the community in return?</p>	<p>The variation to the plot ratio is considered acceptable and is not expected to impact on the streetscape or adjoining properties in terms of bulk and scale.</p> <p>The plot ratio is a requirement applied to control density. It can be varied if the design principles can be achieved, which it does in this instance by complying with height, and the future desired built form of the locality.</p>
<p><u>Issue: Heritage</u></p> <p>The existing home is a well maintained and landmark for its location. Replacement with multiple dwellings would be detrimental to the area and retention would positively reinforce the neighbourhood character.</p> <p>The development does not appear to make any attempt to recognise the history of the site with regard to the design or materials being used, nor any recording and interpretation of the history of the site so that future generations can learn about the past. The City should ask that the developer to respond to the context of the site</p>	<p>The houses at No. 194 - 200 Vincent Street, North Perth are a group of four houses in the Federation Bungalow and Federation Arts and Crafts style.</p> <p>They have <i>moderate aesthetic value</i> as they form visual coherence in terms of scale, sitting and character whilst exhibiting a variety of complementary and stylistic details.</p> <p>The group has <i>moderate historic value</i> as they demonstrate the relative importance and substance of Vincent Street as an address in the period leading up to and immediately after World War I.</p>

Summary of Comments Received:	Officers Technical Comment:
	<p>The subject place at No. 200 Vincent Street, in the context of the group of houses from Nos 194 - 200 Vincent Street has <i>moderate cultural heritage value</i> to warrant a group entry onto the City of Vincent's Municipal Heritage Inventory, as a Management Category B – Conservation Recommended.</p> <p>Notwithstanding, two out of the four landowners had objected to the MHI listing in the last review. As per Council's resolution at its Ordinary Meeting held on 11 February 2014, half of the houses will not be proceeding with the Municipal Heritage Inventory Listing. Given that the group of houses only have cultural heritage significance collectively, the City Officers recommend that no further action will be taken to include No. 200 Vincent Street onto the City's Municipal Heritage Inventory.</p>
<p><u>Issue: Boundary Setback</u></p> <p>The "nil" setback wall may result in damage or removal of the existing boundary wall – which contains irreplaceable art work.</p> <p>The resultant loss of sunlight from the building would cause loss of warmth and amenity.</p>	<p>Building up to the boundary does not mean replacement of any existing dividing walls on the neighbouring lot. Notwithstanding it is recommended that a condition is imposed that ensures the wall is not damaged or destroyed as a result of the works.</p> <p>The orientation of the lots combined with the storeys being compliant results in minimal impacts of loss of sunlight and ventilation.</p>
<p><u>Issue: Solar Access</u></p> <p>The proposed development will overshadow the outdoor living area and windows to the bedrooms/living areas of the adjoining eastern property later in the day causing significant loss of warmth during these hours.</p>	<p>The application complies with the requirements of the R-Codes in terms of overshadowing and the City's policies relating to maximum number of storeys.</p>
<p><u>Issue: Landscaping</u></p> <p>The lack of landscaping will impact on the amenity of the adjoining properties and on the streetscape resulting in a heat-sink effect.</p>	<p>The applicant has provided a compliant plan demonstrating the location and species of the landscaping as part of the planning approval. Further to the landscape location plan, a detailed landscape management plan is required to be submitted prior to the issue of a Building permit.</p>
<p><u>Issue: Sustainability</u></p> <p>There is no reference to environmental sustainability technologies being incorporated into this development. Solar panels should be mandatory. There is no indication about sustainable construction materials and methods to be used on this development.</p>	<p>The applicant is required to incorporate environmental sustainability aspects under the Building Codes of Australia. Through the assessment process, the applicants have been encouraged to incorporate design aspects to the units to ensure maximum sun penetration and cross ventilation is afforded to the units. The effects make the dwellings less reliant to air-conditioning devices or heating devices.</p>

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

### External Consultation

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

### **Design Advisory Committee:**

Referred to Design Advisory Committee (DAC): Yes

The proposal was referred to the DAC on three occasions and received the DAC's support on 17 September 2014. The full extract of the minutes of this meeting is in Attachment 005.

The DAC supported the proposed subject to the feature screen wall being installed on the western boundary. Therefore it is recommended that a condition in this regard is imposed on the approval.

### **LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Demolition of Single Dwelling and Construction of Three (3) 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
- Smith's Lake Precinct Policy No. 7.1.6.

### **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 and become a significant proportion of the households.	

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS & CONCLUSION:**

**Heritage Services**

Heritage Services have confirmed the property is not heritage listed, and for which approval should be granted for demolition.

**Planning**

Although the proposal exceeds the deemed-to-comply standards for plot ratio, building setbacks and roof form, the proposed variations are able to be supported as the proposal in this location at the corner of two prominent streets and three parks along with the proposed art work façade will allow the proposal to stand out. All other variations are able to be conditioned as part of an approval.

The site's location within close proximity to the corner of Vincent and Charles Streets as well as within short distance to the Leederville Town Centre have culminated into an appropriate design and density. The location serves easy access to public transport and at seven (7) multiple dwellings will allow for greater intensity of land use than what is presently provided on-site. In addition it is considered the contemporary appearance of the dwelling will suit the recently constructed and under construction developments along Vincent Street.

Concerns raised with the loss of a notable existing corner facade are noted, as is the Design Advisory Committee's support for the replacement architecture. With the approval at No.196 Vincent Street at Council's Ordinary meeting of 17 December 2013, the future desired streetscape for the immediate vicinity is set in terms of density and building design.

**Conclusion:**

The proposal is considered to be acceptable in relation to the City's policies and Scheme. This development will contribute positively to the future streetscape of Vincent Street and redevelopment of the area. The proposed variations to plot ratio as well as street and building setbacks are appropriate given the location and will not have an undue impact on the surrounding area. It is therefore recommended that the proposal is approved.

**9.1.3 Scheme Amendment No. 39 Final Approval – Multiple Dwellings in the Mount Hawthorn Precinct**

<b>Ward:</b>	North Ward	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Mount Hawthorn (P1)	<b>File Ref:</b>	SC411
<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 T Elliott, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	G Poezyn, Director Planning Services		

**OFFICER RECOMMENDATION:**

That Council:

- ADOPTS Amendment No. 39 to the City of Vincent Town Planning Scheme No. 1 as contained in Attachment 001, to:**

- Amend the Zoning Table as follows:**

Use Class	Zones
	Residential Zone
Multiple Dwelling	P/SA*

\* Refer to Clause 20 (4)(h)(ii)

- Include Clause 20(4)(h)(ii) in the City of Vincent Town Planning Scheme No. 1 as follows:**

“The use Multiple Dwelling is a ‘SA’ use in accordance with Clause 13(2)(e) on land zoned R30 and below”; and

- NOTES the submissions received in relation to the advertising of amendment No.39 to Town Planning Scheme No.1, included as Attachment 002 and ENDORSES administrations responses to those submissions; and**
- AUTHORISES the Chief Executive Officer to execute Amendment No. 39 to the City of Vincent Town Planning Scheme No. 1 in accordance with Section 75 of the Planning and Development Act 2005, reflecting Council’s endorsement of final approval.**

**PURPOSE OF REPORT:**

To advise Council of the outcomes from the public consultation period of Scheme Amendment No. 39, and to request Council to endorse the amendment for final approval.

**BACKGROUND:**

Council at its Ordinary Meeting held 22 July 2014 resolved to initiate Amendment No. 39 to the City of Vincent Town Planning Scheme No. 1, as follows:

Use Class	Zones
	Residential Zone
Multiple Dwelling	P/SA*

\* Refer to Clause 20 (4) (h) (ii)

Clause 20 (4) (h) (ii) provides as follows:

*“The use Multiple Dwelling is a ‘SA’ use in accordance with Clause 13 (2)(e) on land zoned R30 and below.”*

Following Council’s resolution to initiate the Scheme Amendment a formal period of advertising was completed and is discussed further in the Details section of this report.

**History:**

Date	Comment
17 December 2013	Council resolved that ‘investigations be undertaken into the potential to restrict multiple dwelling developments in areas zoned R30 in Mount Hawthorn, Leederville and North Perth.
11 February 2014	Council approved the implementation of two options put forward by the investigation including a Scheme Amendment on <i>selected</i> streets throughout these areas and the progression of a local planning policy which would propose a suite of design guidelines for this type of development in these areas.
27 May 2014	A report was prepared to appoint a Consultant to assist the City in preparing a Scheme Amendment and Local Planning Policy however this was withdrawn due to the 2014 Residential Design Codes review.
24 June 2014	A recommendation was prepared for Council to initiate a Scheme Amendment which would prohibit multiple dwellings in Mount Hawthorn, it also was recommended to appoint a consultant to prepare design guidelines for Multiple Dwellings in areas zoned less than R40 across the balance of the City.
22 July 2014	Council at its ordinary meeting initiated Scheme Amendment No. 39.
26 August 2014 – 8 October 2014	Formal consultation period.

**DETAILS:**

Following the formal consultation period the Administration does not recommend any changes from the proposal that was advertised.

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Consultation Period: The City received consent on 8 August 2014 to advertise for a period of 42 days in accordance with Regulation 25 of the Town Planning Regulations 1967. The advertising period commenced 26 August 2014 and closed 8 October 2014.

Consultation Type: One consecutive advert in the local paper for 6 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	32	-	32	80%
Object	6	-	6	15%
Not Stated	1	1	2	5%
	<b>39</b>	<b>1</b>	<b>40</b>	

### Summary of Submissions for Scheme Amendment No. 39: Objections and Support

The main issues raised in the objections are listed below.

Issues Raised	Officer Comment
The Scheme Amendment contradicts State Planning Policy in regard to increasing density to reduce urban sprawl.	State Planning Policy discusses increased density in appropriate locations. Through the City's draft Town Planning Scheme No. 2 the City has proposed increased density on major arterial roads to meet the dwelling targets set by the State Government in Directions 2031.
Multiple dwellings provide diversity of housing.	Housing diversity can also be provided by single residential and grouped dwelling developments. The 2013 R-Codes amendment removed the 'family only' restriction on ancillary accommodation providing alternative dwelling options.
The Residential Design Codes (R-Codes) provides sufficient requirements for the assessment of multiple dwellings.	The R-Codes, within suburban areas, outlines the requirements for assessment of multiple dwellings which are supported by the City's Planning and Building Policy Manual. The R-Codes only applies an assessment framework but does not provide Council discretion to determine all applications.

The main reasons identified by the supporting submissions are the perceived impacts of development of multiple dwellings and increased dwelling density in the established medium density residential areas. The reasons are discussed as follows.

Issues Raised	Officer Comment
Multiple Dwellings are not appropriate in the medium density residential area of Mount Hawthorn. They are appropriate on major arterials.	Draft Town Planning Scheme No. 2 proposes increases in density along main arterial routes whilst maintaining zoning in established medium density residential suburbs.
Parking and traffic issues exist in Mount Hawthorn and will be exacerbated by Multiple Dwellings.	The Western Australian Planning Commission identified the issue of insufficient supply of parking in multiple dwellings and have sought to address this in the 2014 Residential Design Codes review which proposes to increase the minimum car parking requirement for multiple dwellings from 0.75 to 1.
Privacy may be compromised on lots adjacent to multiple dwellings.	The R-Codes contains requirements to appropriately manage privacy.

**LEGAL/POLICY:**

- Planning and Development Act 2005; and
- Town Planning Regulations 1967.

The Minister for Planning determines the outcome of Scheme Amendments.

**RISK MANAGEMENT IMPLICATIONS:**

Without Amendment to the City's Town Planning Scheme No. 1 Multiple Dwellings will remain a permitted use in the residential zone of Mount Hawthorn. Compliant proposals for multiple dwellings in this area would therefore have little scope for refusal.

**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 the established medium density character of the area.

  

<b>ECONOMIC</b>
Reducing multiple dwelling developments in Mount Hawthorn may affect local employment related to construction of these dwellings.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

**COMMENTS:**

The purpose of Scheme Amendment No. 39 is to ensure that multiple dwelling developments within the precinct of Mount Hawthorn (Scheme Map 1) are subject to an advertising period and are not permitted unless Council has exercised its discretion for approval.

Clause 20 of the City's Town Planning Scheme No. 1 – *Special Application of the Residential Planning Codes*, contains restrictions on the development of multiple dwellings in the Cleaver, Hyde Park and Forrest precincts. These existing restrictions have successfully assisted in the retention of established character dwellings in these areas.

This amendment was initiated in response to community concern and has subsequently received support from the residents. Given the overwhelming support Scheme Amendment No. 39 is recommended for approval.

**CONCLUSION:**

Scheme Amendment No. 39 will assist to retain the current residential character of Mount Hawthorn. Following the advertising period of the scheme amendment and the support received from the community, it is recommended that Scheme Amendment No. 39 is adopted without modification.

## 9.2 TECHNICAL SERVICES

### 9.2.1 Charles Veryard Reserve – Clubrooms and Pavilion Upgrade

<b>Ward:</b>	North	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Smith's Lake (6)	<b>File Ref:</b>	SC531
<b>Attachments:</b>	<a href="#">001</a> – Proposed Plans (Sk01-04 Rev A and Sk13 Rev A)		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	K Bilyk, Property Officer J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

#### OFFICER RECOMMENDATION:

##### That Council:

1. **NOTES** that several meetings have been held between the City's officers, the Project Architect, Modernians Hockey Club, Cardinals Junior Football Club and Tuart Hill Cricket Club representatives to progress the upgrade plans for the Charles Veryard Reserve clubrooms and pavilion;
2. **APPROVES IN PRINCIPLE** the proposal shown in Attachment 001 (drawing Nos.Sk01-04 Rev A and Sk13 Rev A) for the upgrade of the Charles Veryard Reserve clubrooms and Pavilion, which include the separate provision of a scoreboard and new curator's shed;
3. **CONSULTS** with the community in accordance with the Community Consultation Policy No. 4.1.5, inviting comments on the proposal; and
4. **RECEIVES** a further report on the matter to consider any submissions received at the conclusion of the community consultation period.

#### PURPOSE OF REPORT:

To advise Council of the progress of Charles Veryard Reserve Clubrooms and Pavilion upgrade project, seek approval in principle for the plans and to progress with community consultation.

#### BACKGROUND:

At its meeting on 25 March 2014 (Item 9.2.6), Council considered a report in relation to the possible use of Charles Veryard Reserve by the Cardinals Junior Football Club and resolved (in part):

*"That the Council;*

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

**DETAILS:**

**Lease:**

At its meeting on 21 October 2014 (Item No. 9.3.5), Council considered a report on a new lease between the Modernians Hockey Club, Tuart Hill Cricket Club and the Cardinals Junior Football Club. The matter was deferred and will be presented to a future Council forum.

**Building Upgrade:**

Pavilion Works

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

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

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

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

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

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

Scoreboard

An electronic scoreboard is proposed to be installed/attached to the front of the building as shown on the attached site plan (as per Attachment 001).

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

Curator's Shed

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

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

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**CONSULTATION/ADVERTISING:**

Consultation will be undertaken in accordance with the City's Community Consultation policy No. 4.1.5.

**LEGAL/POLICY:**

As the value of this project is over \$100,000 a tender will be advertised and assessed in accordance with the Local Government Act 1995 tender regulations.

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

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

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

**SUSTAINABILITY IMPLICATIONS:**

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

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

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

**FINANCIAL/BUDGET IMPLICATIONS:**

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

- Building upgrade/refurbishment;
- Scoreboard; and
- Curator's shed.

At the conclusion of consultation a further report will be presented to Council for approval, after which a tender will be prepared and the building upgrade component separated in the schedule of rates so that various aesthetic improvements or expensive fixtures can be removed from the total cost to ensure the project can be progressed within the allocated budget.

Some of these items may include:-

- Air-conditioning;
  - Rendering of the outside of the building;
  - Electric barbeque; and
  - Internal fittings & fixtures.
-

**COMMENTS:**

The meetings held between the clubs in progressing this project have been most productive and everyone accepted the proposed changes and have been working towards the successful co-existence of the three (3) sporting codes at Charles Veryard Reserve.

To enable the project to progress to the next stage, consultation with the local community is required prior to final approval of the plans and advertising of a tender to undertake construction.

At this point in time it is envisaged that on site works could commence in March 2015, therefore inconveniencing both the summer and winter clubs to some degree. However, this matter has also has been discussed at working group meetings and can easily be accommodated with portable toilets and/or changerooms should this be required.

### 9.2.2 Robertson Park - Proposed Installation of Western Power Transformer

<b>Ward:</b>	South	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Hyde Park (12)	<b>File Ref:</b>	SC567
<b>Attachments:</b>	<a href="#">001</a> – Western Power Location Site Plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, Manager Asset and Design Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

#### OFFICER RECOMMENDATION:

That Council **APPROVES** the proposal to locate a ground mounted transformer and switch gear in Robertson Park between the car park entrance and Robertson Park Tennis Courts, off Fitzgerald Street, as shown in Attachment 001, subject to Western Power;

1. **Planting appropriate vegetation around the unit for screening purposes in liaison with and to the satisfaction of, the Director Technical Services;**
2. **Paying all costs associated with the installation, including any service relocations; and**
3. **Notifying adjoining residents of the proposed works.**

#### PURPOSE OF REPORT:

The purpose of this report is to seek Council's approval for Western Power to locate a ground mounted transformer and associated switch gear within Robertson Park.

#### BACKGROUND:

In September 2014, the City received an email from Western Power requesting Council's approval to install a ground mounted transformer and associated switch gear within Robertson Park, Perth between the car park entrance and tennis courts off Fitzgerald Street and opposite the Cowle Street intersection.

The combination of new developments and increasing consumer demand in the immediate catchment area has resulted in power quality issues, i.e. low/fluctuating voltages and brown outs. The frequency of these events is expected to increase within the near future.

Western Power considers the installation of a new large capacity transformer essential to ensure the reliability of the power supply in the immediate area.

#### DETAILS:

Western Power's infrastructure in the aforementioned area is both old and nearing full capacity. Western Power is seeking to in part address the issue by installing a new 315Kva ground mounted transformer and switch gear in Robertson Park in the location as shown on the plan below.

The proposed location of the unit is dependent upon existing electrical infrastructure and it is essentially a junction point for a combination high and lower voltage systems. If the proposed transformer unit were moved to another location further afield it would require significantly more work and therefore greater disruption to the local community.

Further, while there is already electrical and telecommunications infrastructure within the verge area, behind which the transformer will be located and effectively screened from the road, the Department of Transport has requested that no new infrastructure not be installed within the buffer zone (verge) of the proposed Fitzgerald Street *Light Rail* scheduled to commence in 2018. Therefore Western Power is seeking to install the unit within the park, on the park side of the shared path, between the tennis courts fence and car park entry crossover, and behind the existing electrical cabinet.



Western Power's location plan

The earth pad, the light blue square, is larger than the combined units allowing them to be set-back ~1.5m from the footpath to allow screening vegetation.



View from rear of the location of proposed transformer.



View from Fitzgerald Street showing the existing screening.

Officers Comments:

The City has in the past objected to Western Power locating transformers (and the like) in parks, most notably Hyde Park (in June 2006) and Stuart Street Reserve (in 2010), but on each occasion it has been reluctantly accepted as the only viable location. As would be expected, residents generally do not want transformer units outside their home, neither ground nor pole mounted, for both aesthetic and public health reasons (i.e. concerns about electro-magnetite radiation).

The combined units will be the standard 'green boxes' as installed in Stuart Street Reserve and as per the photograph below.



Existing transformer & switch gear in Stuart Street Reserve from the front



Existing transformer & switch gear in Stuart Street Reserve from the rear

**Policy:**

In recognition of the increasing number of transformers, and associated infrastructure, being retro fitted in established areas within the City, Council in June 2005, prepared a policy, No. 2.2.3, *Electricity Supply – Development Guidelines for Installation of Substations*. While a majority of the policy provides guidance and sets out responsibilities for private developers the policy concludes with the following statement:

*“Wherever possible the City will minimise and discourage isolated placement of electrical infrastructure in public places.”*

In this instance the only suitable available location that meets Western Power’s criteria, with the least impact upon the surrounding streetscape and properties is within the aforementioned area of Robertson Park.

**Screening:**

As per the Hyde Park and Stuart Street Reserve transformers, Western Power will be requested to arrange screening planting to the City’s requirements.

**CONSULTATION/ADVERTISING:**

Western Power will be responsible for liaising with the residents and property owners in Fitzgerald Street in the line of sight of the installation.

Western Power will be advised of the Council decision.

**LEGAL/POLICY:**

Not applicable.

**STRATEGIC IMPLICATIONS:**

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's preference not to locate power infrastructure within park and reserves aside, the proposed installation will ensure a continuity of power supply in the immediate area thereby improving the amenity of the local community.

**FINANCIAL/BUDGET IMPLICATIONS:**

There will be no financial implications for the City as the proposal will be fully funded by Western Power.

**COMMENTS:**

Whilst the City would prefer that transformers are not located in public spaces it is extremely difficult to 'retrofit' them in established areas. Generally, the only opportunity to setback or 'hide' a transformer is when a proposed development that is reliant upon the power supply upgrade can be requested to cede a portion of land for the transformer site.

However in this instance, that while the proposed installation will provide power to approved and proposed developments in Cowle Street it is primarily an area wide supply enhancement. Therefore it is considered that the proposal to locate the transformer in Robertson Park should be supported. It will provide surety of power supply in the immediate area with provision for increased demand in the future with minimal impact upon the park.

### 9.3 CORPORATE SERVICES

#### 9.3.1 Financial Statements as at 30 September 2014

<b>Ward:</b>	Both	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC357
<b>Attachments:</b>	<a href="#">001</a> – Financial Reports		
<b>Tabled Items:</b>	<a href="#">002</a> – Significant Accounting Policies		
<b>Reporting Officers:</b>	N Makwana, Accounting Officer; B Wong, Accountant; B Tan, Manager Financial Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

#### OFFICER RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 30 September 2014 as shown in Attachment 001.

#### PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 30 September 2014.

#### BACKGROUND:

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

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

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

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

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

**DETAILS:**

The following documents represent the Statement of Financial Activity for the period ending 30 September 2014:

Note	Description	Page
1.	Summary of Income and Expenditure by Service Areas	1-30
2.	Statement of Financial Activity by Programme Report and Graph	31-32
3.	Statement of Comprehensive Income by Nature and Type Report	33
4.	Statement of Financial Position	34
5.	Statement of Changes in Equity	35
6.	Net Current Funding Position and Graph	36
7.	Capital Works Schedule and Funding and Graph	37-43
8.	Cash Backed Reserves	44
9.	Receivables	45
10.	Rating Information and Graph	46-47
11.	Beatty Park Leisure Centre Report – Financial Position	48
12.	Explanation of Material Variance	49-57

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**1. SIGNIFICANT ACCOUNTING POLICIES AND NOTES**

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

Comments on the financial performance are set out below:

**2. As per Attachment 001.****3. Statement of Financial Activity by Programme Report (Note 2)****Summary of Financial Activity as at 30 September 2014**

	Original Budget \$	Revised Budget \$	Year to date Budget \$	Actual 2014/2015 \$	Variance \$	Variance %
<b>Operating Revenue</b>	30,810,822	30,818,072	6,480,809	6,176,721	(304,088)	-5%
<b>Operating Expenditure</b>	(51,659,410)	(51,334,021)	(12,954,196)	(12,351,269)	602,927	-5%
Add Deferred Rates Adjustment	-	-	-	16,823	16,823	0%
Add Back Depreciation	8,566,790	8,566,790	2,141,724	2,819,952	678,228	32%
(Profit)/Loss on Asset Disposal	(3,833,120)	(3,840,370)	(12,790)	3,504	16,294	0%
<b>Net Operating Excluding Rates</b>	<b>(16,114,918)</b>	<b>(15,789,529)</b>	<b>(4,344,453)</b>	<b>(3,334,269)</b>	<b>1,010,184</b>	<b>23%</b>
Proceeds from Disposal of Assets	4,455,000	5,605,000	21,000	* 5,975	(15,025)	0%
Transfer from Reserves	5,789,800	5,758,752	3,336,475	1,493,735	(1,842,740)	-55%
	<b>10,244,800</b>	<b>11,363,752</b>	<b>3,357,475</b>	<b>1,499,710</b>	<b>(1,857,765)</b>	<b>-55%</b>
Capital Expenditure	(16,895,834)	(13,291,534)	(4,868,600)	* (2,260,492)	2,608,108	-258%
Repayments Loan Capital	(1,743,478)	(1,743,478)	(210,898)	(210,899)	(1)	0%
Transfers to Reserve	(5,599,370)	(4,248,453)	(417,114)	(393,299)	23,815	-6%
	<b>(24,238,682)</b>	<b>(19,283,465)</b>	<b>(5,496,612)</b>	<b>(2,864,690)</b>	<b>2,631,922</b>	<b>-264%</b>
<b>Net Capital</b>	<b>(13,993,882)</b>	<b>(7,919,713)</b>	<b>(2,139,137)</b>	<b>(1,364,980)</b>	<b>774,157</b>	<b>-319%</b>
<b>Total Net Operating and Capital</b>	<b>(30,108,800)</b>	<b>(23,709,242)</b>	<b>(6,483,590)</b>	<b>(4,699,249)</b>	<b>1,784,340</b>	<b>-28%</b>
Rates	26,909,021	26,909,021	26,576,343	27,214,599	638,256	2%
Opening Funding Surplus/(Deficit)	3,199,779	(3,199,779)	(3,199,779)	(3,693,071)	(493,292)	15%
<b>Closing Surplus/(Deficit)</b>	<b>-</b>	<b>-</b>	<b>16,892,974</b>	<b>18,822,279</b>	<b>1,929,304</b>	<b>11%</b>

\*These figures net off to reconcile with the actual Capital Expenditure in Note 7.

**Comments on Summary of Financial Activity:**

**Operating Revenue**

The unfavourable variance is due to the following:

Lower than budget parking infringement revenue, this in part can be attributed to the timing of events at nib Stadium.

Car parking revenues are also lower than anticipated due to the reduced bays at Frame Court and the adjustment to the costing at the Oxford Street Car Park.

There were also issues with the replacement of the old ticket machines, which led to loss of revenue.

There are also timing adjustments on the receipt of grant funds which have attributed to this variance.

**Operating Expenditure**

The positive variance is currently five percent.

**Depreciation**

This unfavourable variance is as a result in the increase in depreciation following Fair Value valuation on the City's Land and Buildings. It should be noted that depreciation is a non cash item. This item is being reviewed to ensure that the valuations are not over stated.

**Transfer from Reserves**

This is in a favourable position as the Transfer from Reserves is aligned to the timing of Capital Work Expenditure which is Reserve Funded.

**Capital Expenditure**

At the end of the first quarter there are still some timing differences on the works being undertaken.

**Transfer from Reserves**

The variance is due to the current process is for the transfer to Reserves are made on a quarterly basis, the budget will be phased to reflect this.

**Rates**

The positive variance is due to a additional property rating data being received from the Valuer General's Office after the budget rates model was run, this included new properties and revalued properties previously not included on the revaluation file, resulting in increased revenue.

**Closing Surplus/(Deficit)**

The opening surplus has been adjusted to reflect the amendments which were adopted at the Special Meeting of Council on the 3<sup>rd</sup> September, 2014, there is currently a positive variance of \$1.92M.

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**4. Statement of Comprehensive Income by Nature and Type Report (Note 3)**

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

**5. Statement of Financial Position (Note 4) and**

**6. Statement of Changes in Equity (Note 5)**

The statement shows the current assets of \$36,111,326 and non-current assets of \$250,789,609 for total assets of \$286,900,935.

The current liabilities amount to \$11,200,215 and non-current liabilities of \$17,597,675 for the total liabilities of \$28,797,890.

The net asset of the City or Equity is \$258,103,045.

**7. Net Current Assets (Note 6)**

Net Current Asset is the difference between the current asset and current liabilities less committed assets and restricted assets. This amount indicates how much capital is used up by day to day activities.

The net current funding position as at 30 September 2014 is \$18,822,279.

**8. Capital Expenditure and Funding Summary (Note 7)**

The Capital Expenditure summary details projects included in the 2014/2015 budget and reports the original budget and compares actual expenditure to date against these.

	Revised Budget \$	Year to date Budget \$	Actual to Date \$	Variance %
Furniture & Equipment	153,625	73,275	3,339	5%
Plant & Equipment	1,065,167	305,800	247,890	81%
Land & Building	1,038,275	362,915	22,901	6%
Infrastructure	11,034,467	4,126,610	1,980,387	48%
<b>Total</b>	<b>13,291,534</b>	<b>4,868,600</b>	<b>2,254,517</b>	<b>46%</b>

	Revised Budget \$	Year to date Budget \$	Actual to Date \$	Variance %
Capital Grant and Contribution	3,048,092	0	0	0%
Cash Backed Reserves	4,293,557	2,418,800	1,493,733	62%
Other (Disposal/Trade In)	134,000	31,000	31,973	103%
Own Source Funding – Municipal	5,815,885	2,418,800	728,811	30%
<b>Total</b>	<b>13,291,534</b>	<b>4,868,600</b>	<b>2,254,517</b>	<b>46%</b>

Note: Detailed analyses are included on page 37 – 42 of Attachment 001.

**9. Cash Backed Reserves (Note 8)**

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

The balance as at 30 September 2014 is \$7,670,163. The balance as at 31 August 2014 was \$8,302,984.

**10. Receivables (Note 9)**

Other Receivables are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Receivables of \$778,832 are outstanding at the end of September 2014.

Out of the total debt, \$386,387 (53.1%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking. The Cash in Lieu Parking debtors have special payment arrangement for more than one year. The Receivables Report identifies significant balances that are well overdue.

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

**11. Rating Information (Note 10)**

The notices for rates and charges levied for 2014/15 were issued on 21 July 2014.

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

First Instalment	25 August 2014
Second Instalment	27 October 2014
Third Instalment	5 January 2015
Fourth Instalment	9 March 2015

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

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$12.00 per instalment
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 30 September 2014 including deferred rates was \$10,105,598 which represents 36.67% of the outstanding collectable income compared to 36.29% at the same time last year.

**12. Beatty Park Leisure Centre – Financial Position Report (Note 11)**

As at 30 September 2014 the operating deficit for the Centre was \$23,622 in comparison to the year to date revised budgeted deficit of \$147,779.

The cash position showed a current cash surplus of \$166,205 in comparison year to date revised budget estimate of a cash deficit of \$15,266. The cash position is calculated by adding back depreciation to the operating position.

**13. Explanation of Material Variances (Note 12)**

The material threshold adopted this year is 10% or \$10,000 to be used in the preparation of the statements of financial activity when highlighting material variance in accordance with FM Reg 34(1) (d).

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

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

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

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

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2011-2016:

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Not applicable.

**COMMENT:**

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

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## 9.4 COMMUNITY SERVICES

### 9.4.1 Introduction of Annual Registration Fee for Privately Registered Car Parks

<b>Ward:</b>	Both	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	PKG0040
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	P Morrice, Team Leader Ranger Administration S Butler, Manager Ranger and Community Safety Services		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

#### OFFICER RECOMMENDATION:

That Council APPROVES BY ABSOLUTE MAJORITY;

1. The introduction of an annual registration fee of \$200 for the registration of Private Car Parks with the City;
2. An increase to the fee associated with the withdrawal of infringements issued in Private Car Parks registered with the City from \$10 to \$50; and
3. The inclusion of the annual registration fee of \$200 and the increased infringement withdrawal fee of \$50 in the City's Fees and Charges 2014/2015, effective on a pro rata basis from 1 January 2015.

#### PURPOSE OF REPORT:

To enable an annual fee to be levied to the owners of the Private Car Parks registered with the City and to increase the withdrawal fee of an infringement to cover the City's administrative costs.

#### BACKGROUND:

On application by owners, the City registers Private Car Parks and manages the enforcement of restrictions within those car parks.

The Private Car Park registration scheme was introduced in 1994 to provide owners with a means of controlling unauthorised parking in Private Car Parks. The owners sign an agreement authorising the City's Rangers to issue infringements at the Private Car Park after a complaint has been made by an authorised person. Under the current scheme, the City supplies signage to the owner at cost. No other fees or costs are incurred by the owner.

The Car Parks are inspected by Rangers on a yearly basis to ensure the signage is adequate and in a good state of repair and the owners are complying with the conditions for registration.

The City currently has 167 Car Parks registered as Private Car Parks.

Privately owned car parks that are dual use and permit members of the public to use the car park are not eligible for registration and will not be policed by the City.

**DETAILS:**

Where the owner/occupier of a commercial property invites the public to park vehicles on that property the property, cannot be registered and therefore will not be policed by the City.

Given the requirement for annual inspections, administration and enforcement management, it is appropriate for the City to offset costs incurred by charging an annual registration fee of \$200.

Over the past year, there have been an increasing number of authorised persons requesting the withdrawal of infringement notices that they have authorised the City's Rangers to issue. The withdrawal of infringement produces additional workload for Ranger Administration.

In the last financial year forty-three (43) infringement notices were withdrawn out of 413 issued. Increasing the withdrawal fee from \$10 to \$50 should act as a deterrent and cause authorised persons to personally confirm the vehicle is parked illegally prior to contacting the City.

**CONSULTATION/ADVERTISING:**

Ranger Administration will correspond with all owners of registered Car Parks advising them of the fees associated with registering a Car Park. It is intended the fee will be payable pro rata as of 1 January 2015.

**LEGAL/POLICY:**

There is no legal impediment to the adoption of these fees.

**RISK MANAGEMENT IMPLICATIONS:**

Nil.

**STRATEGIC IMPLICATIONS:**

This recommendation is in alignment with the City's '*Strategic and Community Plan 2013 – 2017*';

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

**SUSTAINABILITY IMPLICATIONS:**

Not Applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The introduction of an annual registration fee will generate \$33,400 per annum, based on current figures of Private Car Parks registered with the City. The fee will apply pro rata as of 1 January 2015, which will generate \$16,700 for the 2014/2015 financial year. For each sign issued during registration the amount of \$35 is recouped. The current infringement charge is \$135.00.

**COMMENTS:**

The above recommendation to increase the withdrawal fee and introduce an annual registration fee will allow the City to recoup costs associated with the management and enforcement of Private Car Parks. This initiative is in accordance with with a "User Pays" principle and is recommended for approval.

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**9.4.2 Open House Perth 2014 – Reduction of sponsorship**

<b>Ward:</b>	Both	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1448
<b>Attachments:</b>	Confidential Attachment 001 – Open House Perth Confidential Attachment 002 – Open House Addresses		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	S Wilson, Community Development A Birch, Acting Manager of Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

**That Council APPROVES a reduction in sponsorship funding for the Open House Perth 2014 event from \$10,000 to \$7,000.**

**PURPOSE OF REPORT:**

The purpose of this report is to seek Council's approval to reduce sponsorship funding for the Open House Perth 2014 event from \$10,000 to \$7,000.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 22 April 2014, the following was resolved:  
"That the Council;

1. *APPROVES the following festival events funding as part of the Festivals Programme for 2014/2015:*

	ORGANISATION	EVENT	DATE	AMOUNT SOUGHT	AMOUNT RECOMMENDED
1	Revelation Film Festival	Revelation International Film Festival	3 Jul 2013 - Jul 2014	\$20,000	\$15,000
2	WA Italian Club	Community Open Day and Fair	12 Oct 2014	\$12,850	\$7,500
3	City of Vincent	Multicultural Festival	Oct 2014	\$20,000	\$20,000
4	The North Perth Business and Community Association Inc	Angove Street Festival	26 Oct 2014	\$50,000	Carry forward from 2013/2104 Budget-\$45,000
5	Open House Perth	Open House Perth	1-2 Nov 2014	\$10,000	\$10,000
6	Beaufort Street Network	Beaufort Street Festival 2014	15 Nov 2014	\$82,500	\$75,000
7	Leederville Connect	Light Up Leederville Carnival	7 Dec 2014	\$60,000	55,000
8	RTRFM	Beaufort Street Music Festival	17 Jan 2015	\$11,500	\$5,000
9	City of Vincent	Summer Concerts x 6	Jan-Apr 2015	\$45,000	\$40,000

	ORGANISATION	EVENT	DATE	AMOUNT SOUGHT	AMOUNT RECOMMENDED
10	Trickster Productions	Hyde Park Caribbean Party – Summer Concert	Feb 2015	\$7,500	Summer Concert
11	WA Youth Jazz Orchestra	Big Band Festival	Feb 2015	\$7,500	\$0
12	Pride Western Australia	Pride Sponsorship 2014/2015	Various	\$30,000	\$15,000
13	HMS Pop Up Productions	Fete de la Femme	7 Mar	\$30,000	\$0
14	St Patrick's Day WA Inc.	St Patrick's Day Parade and Family Fun Day	15 Mar	\$25,000	\$25,000
15	Mt Hawthorn Hub	Up Late in Mount Hawthorn	Various	\$40,000	\$40,000
16	Perth International Jazz Festival Inc.	Perth International Jazz Festival	8-10 May 2015	\$20,000	\$0
17	City of Vincent Stalls and Floats	St Patrick's Day, Pride and stalls at events	Various	\$10,000	\$10,000
TOTAL				\$511,850	\$362,500

2. *The festival events detailed in clause 1 above shall be subject to the following conditions:*
  - 2.1 *the sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;*
  - 2.2 *'event fees' for the festivals shall be waived;*
  - 2.3 *a bond of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;*
  - 2.4 *a suitable traffic, risk management and event site plan shall be submitted to the City at least two (2) months prior to the event at the expense of the organisers;*
  - 2.5 *the event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;*
  - 2.6 *the event organisers shall ensure full consultation with businesses and residences within the event parameter and at a minimum of a five hundred (500) metre radius outside of the event parameter to ensure that the festival is representative of and attuned to the local businesses;*
  - 2.7 *the activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;*
  - 2.8 *acknowledgement of the City of Vincent as a major sponsor of the events on all publications and advertising materials, subject to the conditions listed in the report;*
  - 2.9 *the funds received from the City shall be acquitted together with a full evaluation report on the festival being provided no later than three (3) months after the event; and*
  - 2.10 *full compliance with the City's Policy No. 3.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy No. 3.10.8 'Festivals' and Policy No. 3.8.3 'Concerts and Events';*  
*to the satisfaction of the Acting Chief Executive Officer; and*
3. *AUTHORISES the Acting Chief Executive Officer to approve any scheduling changes under delegated authority."*

**DETAILS:**

Open House Perth provides a platform for people to engage with Perth's creative potential in conjunction with celebrating its existing assets. By providing a free annual event, Open House Perth is able to promote high quality design projects, unlock the city to the public and provide substantial benefit to local industries including: design practices, construction sector, food and beverage providers, retailers, the Arts and hospitality sectors. Open House Perth's guiding principles for the event and organisation is to inform, engage, celebrate and promote.

In the two (2) years since the event's inception, Open House Perth has attracted over 75,000 visits to destinations and conducted over 2,000 guided tours. 5,000 of these visits have been into design practices, giving local business the direct marketing opportunities.

The original application received for Open House Perth highlighted twenty (20) City of Vincent locations to be part of the programme, originally listing locations including Western Power Substation No 6, Kinder Street Shop House, Redemptorist Monastery and Foundation Housing.

Funding was allocated to Open House Perth on the condition that twenty (20) venues within the City of Vincent would feature in the event. The City has since been advised that the number of venues in the City of Vincent has been reduced to fourteen (14). This represents a 30% reduction in the number of venues within the City to be utilised and therefore a 30% reduction in funding is appropriate. The Open House Perth sponsorship application received in February 2014 can be found in confidential Attachment 001.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Policy No. 3.10.8 'Festivals'; and

Policy No. 3.8.3 'Concerts and Events'.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the following Objective of the City's '*Strategic Plan – Plan for the Future 2013-2017*':

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

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

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The reduction of the funding of Open House Perth 2014 has been considered and deemed to be low risk.

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**FINANCIAL/BUDGET IMPLICATIONS:**

If Council approved a reduction in sponsorship from \$10,000 to \$7,000 to Open House Perth 2014, it will save the City \$3,000.

**COMMENTS:**

Vincent is now known as 'The Festival City' and our residents and visitors alike rely on our brilliant programme of free entertainment and cultural activities that are offered with our festivals.

This year the City received twenty one (21) applications for festival funding. With such a large number of festivals vying for funding, it is imperative that funding be allocated fairly and that the City gains maximum exposure and benefits for our residents from the festivals funded.

Funding was allocated to Open House Perth on the condition that twenty (20) venues within the City of Vincent would feature in the event, but the number of venues has been reduced to fourteen (14). It is therefore recommended that Council approves a reduction in funding appropriately matched to the reduction in exposure for the City and programme offering for the community.

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### 9.4.3 On Road Café (ORC) Application

<b>Ward:</b>	South	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Oxford Centre (4)	<b>File Ref:</b>	SC226
<b>Attachments:</b>	001 – Application for On Road Café at 128-130 Oxford Street Leederville		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts and Creativity D Doy, Place Manager A Birch, Acting Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

#### OFFICER RECOMMENDATION:

That Council **APPROVES** the application to house an On Road Café in the car bay directly adjacent to 128-130 Oxford Street, Leederville for 24 months, in accordance with the requirements of Policy 2.2.13 Alternative Uses For On Road Car Bays subject to:

1. Plans being submitted by the applicant for assessment and approval by the City, prior to any works commencing in the road reserve;
2. The proposed installation being available for use by any member of the public regardless of whether or not they are customers of the applicant's business; and
3. The applicant entering into a legal agreement with the City, to the satisfaction and specification of the Chief Executive Officer, at the applicant's expense, which shall include but not be limited to the need for the applicant to maintain sufficient Public Liability Insurance, to indemnify the City and to accept responsibility for managing the On Road Café.

#### PURPOSE OF REPORT:

To seek Council's approval for an On Road Café (ORC) to be placed outside of 128-130 Oxford Street Leederville for a period of 24 months, in accordance with the application from Foam Café (the applicant) as shown in attachment 001.

#### BACKGROUND:

At the Ordinary Meeting held on 19 November 2013, Council resolved to remove the ORC located outside Foam Café, 128-130 Oxford Street, Leederville and relocate it as a PARKlet in front of 109–117 Oxford Street, Leederville. Council also resolved to prepare a draft policy relating to ORCs and PARKlets. The matter was listed for the 10 December 2013 Council Forum and a report was submitted to the Council at the Ordinary Meeting held on 25 February 2014.

At the Ordinary Meeting of Council held on 25 February 2014, the Council resolved the following:

*“That Council;*

1. *APPROVES BY AN ABSOLUTE MAJORITY to ADOPT Draft Policy No. 2.2.13 'Alternative Uses for On Road Parking Bays and Guidelines' as shown in appendix 9.2.2;*

2. *Subject to clause 1 above being approved:*
  - 2.1 *ADVERTISES the Draft Policy for a period of fourteen (14) days, seeking public comment;*
  - 2.2 *After the expiry of the period of submissions, AUTHORISES the Chief Executive Officer to:*
    - 2.2.1 *review the Draft Policy No. 2.2.13 'Alternative Uses for On Road Parking Bays and Guidelines', having regard to any written submissions; and*
    - 2.2.2 *determine to proceed with, or not to proceed with, the Draft Policy No. 2.2.13 'Alternative Uses for On Road Parking Bays and Guidelines'; and*
3. *AUTHORISES the Chief Executive Officer to include the above Policy in the City's Policy Manual if no submissions are received from the public, or report to the Council to consider any submissions received; and*
4. *LISTS an amount of \$30,000 for consideration in the 2014/2015 Draft Budget for fabrication/installation of a number of Parklets at suitable locations within the City;*
5. *RECEIVES a further report on the matter should any public submissions be received.*
6. *APPROVES BY AN ABSOLUTE MAJORITY to adopt the following new fees and charges;*

**WORKS FEES AND CHARGES:**

<i>ON ROAD CAFÉ FEES</i>	<i>2013/2014</i>	<i>GST</i>
<i>Preliminary Application Fee</i>	<i>\$200.00</i>	<i>No</i>
<i>Approval Fee (one off payment)</i>	<i>\$1,000.00</i>	<i>No</i>
<i>Annual Renewal Fee</i>	<i>\$500.00</i>	<i>No</i>

7. *Include a compulsory design element to the On-Road Café, to include planter boxes or greenery of any kind; and*
8. *AMENDS Clause 11.2 in the Draft Policy No. 2.213 'Alternative Uses for On Road Parking Bays and Guidelines' to read as follows:*
  - 11.2 *A permit for an 'On Road' Café shall be valid for twenty four (24) months after which the applicant will need to apply for another permit (refer clause 3.3)."*

In July 2014, a call for applications for On Road Cafés was advertised by the City. Letters were sent to all businesses that had previously expressed interest, and the City's Officers also met with local businesses who had suitable exterior areas for an ORC and encouraged them to apply. Only one (1) application was received from the owner of Foam Café to establish an ORC in the car bay adjacent to 128 – 130 Oxford Street, Leederville.

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**DETAILS:**

The City invited businesses to apply to have an On Road Café (ORC) outside their business in July 2014 with initial applications due by Friday, 22 August 2014. Only one (1) application was received for the car bay adjacent to 128-130 Oxford Street, Leederville.

In the application received from the applicant, the proposed design draws inspiration from the original ORC that was previously located there. The planter boxes around the perimeter and the wood decking combined with colourful furniture and shade umbrellas will be adapted into a new design. The applicant will engage a builder to design and build decking and planter boxes of similar dimensions which will surround the perimeter. It is intended that the materials used will be recycled timber to provide an aesthetic that will be complementary to the Leederville Town Centre.

If Council grants approval for this ORC, the applicant will need to submit a final design which will be considered by the City's Officers and final approval will be sought from the Acting Director Community Services and Director Technical Services under delegated authority. The applicant will also need to comply with any other conditions imposed by Council and required by the City's Policy, including entering into a legal agreement with the City and paying the relevant approval and renewal fees.

**CONSULTATION/ADVERTISING:**

The application for an ORC was widely advertised on the City's website and social media. Further to this advertisement, the City wrote and spoke to local businesses in all Town Centres.

In regards to the application received from the applicant, the City has distributed letters to the surrounding and opposite businesses to inform them that an application has been received and the matter will be considered by the Council.

**LEGAL/POLICY:**

Policy No. 2.2.13 '*Alternative Uses For On Road Car Bays*'; and  
Policy No. 4.1.5 '*Community Consultation*'.

Local Roads and Local and District distributors are under the care, control and management of local government.

A number of structural modifications and edits have been identified for Policy 2.2.13 Alternative Uses for On Road Car Bays (the Policy). The Policy is currently structured in three (3) parts:

- Policy;
- Guidelines; and
- Application Form

The Policy would benefit from being streamlined by removing the Guidelines section, and consolidating the design requirements into the Policy. Currently there are a number of provisions which are repeated in both sections. Consolidating these requirements would result in a shorter, simpler and more easily administered Policy.

Furthermore, future amendments to the Policy would remove the need for each application to be approved by Council, with authorisation being provided to the Director Community Services and Director Technical Services. This would improve the efficiency of approval timeframes for ORCs.

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The proposed Policy changes will be presented to a future Council Forum for discussion.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Given the success of the ORC at this location during the trial period from December 2013 to February 2014, and the similarity in the proposed design, the City's Officers are satisfied that this is a low risk project.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the following Objective of the City's '*Strategic Plan – Plan for the Future 2013-2017*':

*'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'*

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

*'4.1.4 Focus on stakeholder needs, values, engagement and involvement'*

**SUSTAINABILITY IMPLICATIONS:**

The approval of an ORC outside 128-130 Oxford Street, Leederville raises awareness of the importance of urban public spaces, rethinking the way streets are used and creating diverse conversations about making cities more sustainable.

**FINANCIAL/BUDGET IMPLICATIONS:**

Applicants for an ORC are asked to pay a Preliminary Application Fee of \$200. Once their application has been approved, they will be required to pay an Approval Fee of \$1,000 and an Annual Renewal Fee of \$500. All costs of design, installation and removal are the responsibility of the proponent.

**COMMENTS:**

Only one (1) application for an ORC was received for the car bay adjacent to 128-130 Oxford Street, Leederville, despite the City notifying businesses in all Town Centres of this opportunity during the advertising period. The application outlines a similar design to that of the previously hosted trial ORC, which proved to be a successful shared space within the street. It is therefore recommended that the application received by the proponent be approved by Council for further development.

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**9.4.4 Light Up Leederville Carnival - Use of Britannia Road Reserve for Parking**

<b>Ward:</b>	South	<b>Date:</b>	28 October 2014
<b>Precinct:</b>	Leederville (3)	<b>File Ref:</b>	SC1527
<b>Attachments:</b>	<a href="#">001</a> – Map of Proposed Use of Britannia Road Reserve <a href="#">002</a> – Light Up Leederville Carnival Transport Plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	A Birch, Acting Manager Community Development S Butler, Manager Ranger and Community Safety Services J van den Bok, Manager Parks and Property Services C Wilson, Manager Asset and Design Services		
<b>Responsible Officer:</b>	J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That Council:

- CONSIDERS** the two (2) listed options for the responsibility and coordination of the temporary parking facility as outlined below:

Option	Option Detail	Potential Net Revenue for the City
Option 1	Aranmore Catholic College coordinating the temporary parking facility and proceeds being received by Aranmore Catholic College	\$0
Option 1	City of Vincent Rangers coordinating the temporary parking facility and proceeds being received by City of Vincent	Minimum \$2,900

- APPROVES** the use of the southern end of Britannia Road Reserve, as detailed in Attachment 001, as a temporary parking facility for use on Sunday, 7 December 2014 in association with the Light up Leederville Carnival and Option ..... for the responsibility and coordination of the temporary parking facility, subject to the following conditions;
  - Operating hours for the parking facility to be set from 12 noon to 12 midnight on Sunday, 7 December 2014;
  - Suitable coverage be used to protect the section of footpath that cars will be required to drive over to access the proposed parking area of the Reserve;
  - Flat-rate fee of \$10.00 be charged for each vehicle that uses the facility;
  - 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; and
  - Appropriate allocation of ACROD parking is available in the temporary parking facility.

**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.

**BACKGROUND:**

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 effect on nearby residential streets. It is recommended that a similar approval be provided for the Light Up Leederville Carnival.

At the Ordinary Meeting of Council held on 9 September 2014, Council requested consideration of the use of Britannia Road Reserve as a temporary parking facility during the Light Up Leederville Carnival be deferred, pending further discussion with the Water Corporation for additional parking.

At its Ordinary Meeting held on 21 October 2014, Council resolved, (among other things) to defer consideration of the following Officer Recommendation (Item 9.4.1)

**"2. DEFERS:**

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."*

This report is re – submitted to Council with additional information, to allow Council to determine whether parking ought to be permitted on Britannia Road Reserve in association with the Light Up Leederville Carnival.

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**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 Transport Plan as found in Attachment 002.

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, which was refused via email. The City's Officers discussed the matter of additional parking further with the Water Corporation, whom hold significant concerns of any impact an emergency in their operations car park, such as a car fire, could have on the Perth metropolitan water supply. 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 Festival Director for the Light Up Leederville Carnival's intends to encourage patrons to 'travel smart', by promoting and encouraging sustainable transport methods. The Transport Plan, as found in Attachment 002, includes offering incentives to patrons who arrive by public transport, bicycle or walking. 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.

Britannia Road Reserve is large enough to accommodate over 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 had originally approached local high school, Aranmore Catholic College, to coordinate the parking at a flat rate fee of \$10 per vehicle, to be used as a fundraiser for the school.

The City has also provided an option for consideration by Council for the City's Rangers to coordinate the parking at a flat rate fee of \$10 per vehicle. With a maximum capacity for parking of 500 vehicles, and patrons expected to leave and allow new patrons to enter throughout the Carnival, the City could receive a minimum estimated \$2,900 net revenue. This figure takes into account the cost of rostering Temporary Rangers on to manage the parking, as detailed in financial implications.

Access to the recommended parking area at the southern aspect of Britannia Road Reserve will be via Bourke Street, at the south east corner of the Reserve. Cars will run to the left of the footpath that runs along the east side of Britannia Road Reserve and this area will be channelised with orange bunting and star pickets. The footpath that runs along the south side of Britannia Road Reserve will have to be crossed by vehicles, and this will be covered by a temporary bridge of heavy duty rubber matting to prevent edge break-up from cars impacting the surface.

The mulched area to be eco-zoned in the winter of 2015 is yet to be planted and this area can be accessed adjacent to the footpath without damage or causing root compaction issues to adjacent trees.

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**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 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.

**FINANCIAL/BUDGET IMPLICATIONS:**

The estimated loss of revenue from ticket machines for the day of the Carnival is \$2,670.

Presently, Rangers are planned to be rostered to assist with set up, pack down as well as enforcement issues during the event.

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Should Council resolve for Rangers to coordinate the temporary parking facility at Britannia Road Reserve, two (2) shifts of seven hours (7) hours would be required with four (4) Temporary Rangers working each shift. The cost of these Temporary Rangers will total \$2,100. With a minimum of 500 cars utilising the temporary parking facility at \$10 entry fee per car, a minimum estimated net revenue of \$2,900 could be received.

Given similar experiences in previous years with the use of Forrest Park as a temporary parking facility during the Beaufort Street Festival, the risk of significant damage requiring repair or maintenance to the playing surface of Britannia Road Reserve is low at this time of the year. In addition to the covering of the footpath with a temporary bridge of heavy duty rubber matting that vehicles will need to drive over, there is likely 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 which sees additional festival-goers visiting Leederville Town Centre. 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.

## 9.5 CHIEF EXECUTIVE OFFICER

### 9.5.1 Use of the Council's Common Seal

<b>Ward:</b>	-	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	SC406
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

#### OFFICER RECOMMENDATION:

**That Council NOTES the use of the Council's Common Seal on the documents listed in this report, for the month of October 2014.**

#### BACKGROUND:

The Chief Executive Officer (CEO) is responsible for the day-to-day management of the City and other responsibilities and functions in accordance with Section 5.41 of the Local Government Act. This includes the signing of documents and use of the Council's Common Seal for legal documents. The City of Vincent Local Law relating to Standing Orders Clause 5.8 prescribes the use of the Council's Common Seal. The CEO is to record in a register and report to Council the details of the use of the Common Seal.

At the Ordinary Meeting of Council held on 14 May 2002, the Council authorised the Chief Executive Officer to use the Common Seal, in accordance with Clause 5.8 of the City of Vincent Local Law relating to Standing Orders, subject to a report being submitted to Council each month (or bi-monthly if necessary) detailing the documents which have been affixed with the Council's Common Seal.

The Common Seal of the City of Vincent has been affixed to the following documents:

Date	Document	No of copies	Details
06/10/2014	Easement in Gross	3	City of Vincent and L & K (WA) Investments Pty Ltd of 11 McGillivray Gardens, Winthrop re: No. 152-156 Fitzgerald Street, Perth - <i>To satisfy conditional approval of the Development Assessment Panels dated 21 February 2014 [Easement in lieu of a ROW widening, and is to permit two way traffic and passing opportunities within the ROW at the access point for this and the development opposite]</i>
12/09/2014	Legal Agreement	3	City of Vincent and IGA of Nos 154- 156 Newcastle Street, Perth - Tyne Square - Legal Agreement for Sublease, Licence, Sublease and Sublicense
25/09/2014	Withdrawal of Caveat and a Deed of Covenant	3	<i>City of Vincent and The Roman Catholic Archbishop of Perth and the St Brigid's Convent of Mercy Perth Incorporated - Nos. 35-49 Franklin Street, dual Frontage to Marian Street, Leederville - Demolition of Existing Building (Classrooms) and Construction of Three Storey Building (Classrooms with Undercroft Storage Area) at Existing Educational Establishment (Aranmore College)</i>

### 9.5.2 Approval of Council Meeting and Forum Dates for 2015

<b>Ward:</b>	-	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0016 & ADM0066
<b>Attachments:</b>	<a href="#">001</a> – Council Meeting and Forum Schedule 2015 <a href="#">002</a> – Council Meetings and Forums – Format, Procedures And Maximum Duration Policy No. 4.2.3		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	Jerilee Highfield, Executive Assistant		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

#### OFFICER RECOMMENDATION:

##### That Council:

1. **ADOPTS a four weekly meeting cycle in 2015, consisting of:**
  - 1.1 **Twelve (12) Council Briefing Sessions, commencing Tuesday 3 February 2015;**
  - 1.2 **Twelve (12) Council Meetings, commencing Tuesday 10 February 2015;**
  - 1.3 **Twelve (12) Council Forums, commencing Tuesday 17 February 2015; and**
2. **ADOPTS the Council Briefing, Meeting and Forum Schedule for 2015, as detailed in Attachment 001.**

#### PURPOSE OF REPORT:

To consider and adopt the schedule of Council Meeting dates for 2015, and in doing so, to consider moving to a four (4) weekly meeting cycle, with a Council Briefing Session being held on the Tuesday prior to each Council Meeting, for Elected Members and the public to review and ask questions on the Draft Council Meeting Agenda for the subsequent week.

#### BACKGROUND:

The Local Government Act 1995 (Section 5.3) and the Local Government (Administration) Regulations 1996, Regulation 12, requires the Council to determine meeting dates and times for the next twelve (12) months and for these to be published at least once a year.

#### DETAILS:

It is recommended that Council to introduce a four-weekly meeting cycle. In lieu of the current fortnightly meeting cycle, this would comprise of a Council Briefing Session being held on one week to consider the draft agenda for the Council Meeting in the following week, the Council Briefing Agenda will, in essence, be the Draft Council Meeting Agenda; however after the Council Briefing, Administration would make any adjustments required to its reports and would issue an updated and consolidated Agenda for the Council Meeting.

Public Question Time would be included in the Council Briefing Session just as it is in Council Meetings. It is believed that a number of benefits are to be gained with this proposal.

It is proposed that all meetings would still commence at 6.00pm.

#### CONSULTATION/ADVERTISING:

The Council Meeting dates will be advertised in a local newspaper. Information will also be placed on the City's website.

Notices of Forum are available for viewing on the City's website [www.vincent.wa.gov.au](http://www.vincent.wa.gov.au) and are placed on the Notice Board at the City's Administration & Civic Centre.

**LEGAL/POLICY:**

Legislation – Statutory Provisions: Section 5.3 of the Local Government Act 1995 states:

*“Ordinary and Special Council meetings:*

- (1) *A Council is to hold ordinary meetings and may hold special meetings;*
- (2) *Ordinary meetings are to be held not more than three months apart; and*
- (3) *If a Council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure. ”*

Regulation 12 of the Local Government (Administration) Regulations 1996 states:

- “12 (1) *At least once a year a local government is to give local public notice of the dates on which and the time and place at which –*
- (a) *The ordinary Council meetings; and*
  - (b) *The Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;*
- Are to be held in the next 12 months;*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1);”*

If Council agrees to move to a rolling four weekly meeting cycle in 2015, including Council Briefings, it would be prudent to also update Policy No. 4.2.3 – Council Meetings and Forums – Format, Procedures and Maximum Duration (see Attachment 002).

Policy No. 4.2.3 presently does not refer to the frequency of Council meetings or Forums, nor does it refer to or contemplate Council Briefings. As such, Council could move to four weekly meetings instead of fortnightly meetings and could also commence holding Council Briefings without the need to amend the Policy. Policy No. 4.2.3 would continue to apply to Council Meetings and Forums, regardless of their frequency or whether Council Briefings are also held. It would nevertheless be appropriate to amend Policy No. 4.2.3 to include guidance for Council Briefings and also to improve the current drafting and construction of that policy.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Moving to a ‘rolling’ four weekly meeting cycle, comprising of Council Briefing Sessions and Meetings will provide greater time and opportunity for Elected Members and the public to review, evaluate and discuss reports, prior to their inclusion on a formal Council Agenda. It will also provide more time for Administration to focus on other work and making operational business improvements, rather than needing to prepare reports, agendas and minutes for fortnights Council Meetings..

**STRATEGIC IMPLICATIONS:**

This is in keeping with the City’s Strategic Plan – Plan for the Future 2013-2017, Objective 4.1 – *“Provide Good Strategic Decision Making, Governance, Leadership and Professional Management”* and, in particular, Objective 4.1.2 – *“Manage the organisation in a responsible, efficient and accountable manner”*.

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**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The advertising of the Meeting and Forum dates will cost approximately \$250.

**COMMENTS:**

Under the current fortnightly Council meeting cycle, Administration is on a weekly basis either preparing Agendas for Council meetings or Minutes of Council meetings. This impacts the productivity and effectiveness of staff at all levels (including Managers, Directors and the CEO) and reduces the amount of time that is available to focus on the majority of other work and business improvements dealt with by Administration. Moving to four weekly meetings will provide greater time and opportunity for Administration to devote attention to delivering improvements and efficiencies across the City's operations, by freeing up approximately half of every month from Agenda and Minute preparation.

It is proposed that the Council Briefing would be held on the Tuesday of the week prior to the actual Council Meeting. The purpose of the Briefing would be for Elected Members and the public to discuss and ask questions on the Draft Council Meeting Agenda for the following week. Although the Council Briefing Agenda would essentially constitute the draft Agenda for the subsequent week's Council Meeting, a separate, updated and consolidated Agenda would be issued for the formal Council Meeting.

Importantly, Public Question Time would form part of the Council Briefing Agenda and would provide Elected Members, Administration and the community alike with advance notice of any issues, concerns or requests for clarification or further information on any reports included on the agenda, prior to formal consideration by Council.

In Administration's experience, moving to the proposed meeting cycle will not incur any additional expense, nor is it likely to impact on the frequency with which items (such as development applications) can be presented to Council, because Administration's capacity to present reports to Council is not increased by holding more meetings. The proposal will, though, likely increase the number of reports on each meeting agenda, but contribute to reducing the number of deferred decisions, given the additional opportunity that would be available for raising questions and seeking clarification on matters to be discussed at the Council meeting.

The following local governments operate four weekly or monthly meeting cycles (this is not an exhaustive list):

- City of Perth;
  - City of Wanneroo;
  - City of Joondalup;
  - Town of Cambridge; and
  - City of Bayswater.
-

**9.5.3 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	24 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 24 October 2014, as distributed with the Agenda.

**DETAILS:**

The items included in the Information Bulletin dated 24 October 2014 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 1 October 2014
IB02	Unconfirmed Minutes of the Parks Working Group held on 24 September 2014
IB03	Unconfirmed Minutes of the Loftus Recreation Centre Management Committee held on 8 October 2014
IB04	Register of Petitions – Progress Report – November 2014
IB05	Register of Notices of Motion – Progress Report – November 2014
IB06	Register of Reports to be Actioned – Progress Report – November 2014
IB07	Register of Legal Action ( <b>Confidential – Council Members Only</b> ) - Monthly Report as at 25 September 2014
IB08	Register of Orders and Notices Issued Under the Building Act 2011 and Health Act 1911 ( <b>Confidential – Council Members Only</b> ) - Quarterly Report (25 September 2014)
IB09	Register of State Administrative Tribunal (SAT) Appeals – Progress Report – as at 25 September 2014
IB010	Register of Applications Referred to the Design Advisory Committee – September 2014
IB11	Register of Applications Referred to the MetroWest Development Assessment Panel – Current

**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.

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

**14.1 CONFIDENTIAL ITEM: Disposal of the Property at No. 291 (Lot 6) and  
295 (Lot 7) Vincent Street, Leederville – Major Land Transaction**

<b>Ward:</b>	South	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Oxford Centre (4)	<b>File Ref:</b>	PRO0527 & PRO0631
<b>Attachments:</b>	001 – Confidential Major Land Transaction Business Plan 002 – Carr Place Precinct – Design Guidelines 003 – Site Photography of the property and laneway 004 – Proposed subdivision plan		
<b>Tabled Items:</b>	001 - Confidential Valuation Report January 2014 002 - Confidential Valuation Report October 2014		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

**DETAILS:**

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

- (e) *a matter that, if disclosed, would reveal;*
  - (i) *a trade secret;*
  - (ii) *information that has a commercial value to a person; or*
  - (iii) *information about the business, professional, commercial or financial affairs of a person.*

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

*“2.14 Confidential business*

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, Council may wish to make some details available to the public.

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**14.2 CONFIDENTIAL ITEM: Disposal of Property at 81 (Lot 500) Angove Street, North Perth – Major Land Transaction**

<b>Ward:</b>	North	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	Smith's Lake	<b>File Ref:</b>	PRO2919/PR52016
<b>Attachments:</b>	001 – Confidential Major Land Transaction Business Plan 002 – Site Plan of 81 Angove Street 003 – Building plan of 81 Angove Street		
<b>Tabled Items:</b>	001 – Confidential Valuation 16 October 2014		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

**DETAILS:**

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

- (e) *a matter that, if disclosed, would reveal;*
  - (i) *a trade secret;*
  - (ii) *information that has a commercial value to a person; or*
  - (iii) *information about the business, professional, commercial or financial affairs of a person.*

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

*“2.14 Confidential business*

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, Council may wish to make some details available to the public.

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**14.3 CONFIDENTIAL REPORT: Design Advisory Committee (DAC) – Appointment of Chairperson and Deputy Chairperson**

<b>Ward:</b>	All	<b>Date:</b>	24 October 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC338
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	G Poezyn, Director Planning Services		
<b>Responsible Officer:</b>	L Kosova, Chief Executive Officer		

**DETAILS:**

The Acting Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning the personal affairs of any person.

**LEGAL:**

The Local Government Act 1995, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

*"2.14 Confidential business*

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Acting Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

**15. CLOSURE**

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