



CITY OF VINCENT

ORDINARY COUNCIL MEETING

7 October 2014

Notice of Meeting and Agenda

Notice is hereby given that an Ordinary Meeting of the Council of the City of Vincent will be held at the Administration and Civic Centre, at 244 Vincent Street (corner Loftus Street), Leederville, on **Tuesday, 7 October 2014** at 6.00pm.

Len Kosova
CHIEF EXECUTIVE OFFICER

7 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

The City wishes to advise that any plans or documents contained within this Agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

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**
 - 2.1 Cr Emma Cole on approved leave of absence from 10 September 2014 – 10 October 2014.
 3. **(a) Public Question Time and Receiving of Public Statements**
 - (b) Response to Previous Public Questions Taken On Notice**
 - [3.1](#) Letter to Ms D Saunders relating to various questions taken on notice at the Ordinary Meeting of Council held on 23 September 2014.
 4. **Applications for Leave of Absence**

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

Nil.
 6. **Confirmation of Minutes**
 - 6.1 Ordinary Meeting of Council held on 23 September 2014.
 7. **Announcements by the Presiding Member (Without Discussion)**

Nil.
 8. **Declarations of Interest**

Nil.
 9. **Reports**

As listed in the Index.
 10. **Motions of which Previous Notice has been given**

Nil.
 11. **Questions by Members of which Due Notice has been Given (Without Discussion)**

Nil.
 12. **Representation on Committees and Public Bodies**

Nil.
 13. **Urgent Business**

Nil.
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**14. Confidential Items/Matters for which the Meeting May be Closed
("Behind Closed Doors")**

- 14.1 CONFIDENTIAL ITEM: Nos. 7/565-567 (Lot: 7 STR: 21608) Beaufort Street, Mount Lawley – Proposed Change of Use From Office to Recreational Facility and Office - Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 for the Review of Condition 4 (DR 251 of 2014) (PRO3753; 5.2014.4.1)
- 14.2 CONFIDENTIAL ITEM: No. 393 (Lot 2: D/P 1283) Bulwer Street, Corner Gallop Street, West Perth – Proposed Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 209 of 2014) (PRO6191; 5.2014.108.1)
- 14.3 CONFIDENTIAL ITEM: No. 277 (Lot: 19 D/P: 1561) Vincent Street, Leederville – Proposed Multiple Dwellings – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 142 of 2014) (PRO3238; 5.2013.553.1)

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9.1 PLANNING SERVICES

9.1.1 No. 216 (Lot 16; D/P 2440) Loftus Street, North Perth – Proposed Construction of Three Storey Multiple Dwelling Comprising Four Multiple Dwellings and Associated Car Parking

Ward:	North	Date:	24 September 2014
Precinct:	Smith's Lake; P6	File Ref:	PR14666; 5.2014.347.1
Attachments:	001 – Property Information Report 002 – Development Application Plans 003 – Applicant Justification Submission 004 – Car and Bicycle Parking Calculations 005 – DAC comments		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and Metropolitan Region Scheme, APPROVES the application submitted by Aztec Architects Pty Ltd, for the Proposed Construction of a Three Storey Multiple Dwelling Comprising of Four Multiple Dwellings and Associated Car Parking at No. 216 (Lot 16; D/P2440) Loftus Street, North Perth as shown on amended plans date-stamped 18 September 2014 and 25 September 2014, included as Attachment 002, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 218 Loftus Street, North Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the satisfaction of the City;

2. **Verge Treatment**

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

3. **Car Parking and Accessways**

3.1 A minimum of three (3) residential car bays and one (1) visitor bay, are to be provided on site for the development;

3.2 The car park shall be used only by residents and visitors directly associated with the development; and

3.3 The car park area for visitors shall be shown as common property on any strata plan;

4. **Building Appearance**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street, are designed integrally with the building, and be located so as not to be visually obtrusive from Loftus Street and the surrounding properties;

5. **Demolition**

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

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

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

7.1.1 **Privacy Screening**

The balcony of Unit 2 on the south facing elevation being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level, any point within the cone of vision less than 6 metres and 4.5 metres respectively from a neighbouring boundary;

7.1.2 **Bin Store**

A bin store is to be provided to the satisfaction of the City; and

7.1.3 **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;

7.2 **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:

- 7.2.1 The location and type of existing and proposed trees and plants;
 - 7.2.2 All vegetation including lawns;
 - 7.2.3 Areas to be irrigated or reticulated;
 - 7.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
 - 7.2.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used);
-

7.3 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;

7.4 Construction Management Plan

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

7.5 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

7.6 Section 70A Notification under the Transfer of Land Act

The owner(s) shall agree in writing to a notification being lodged 1) under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property and 2) being placed on the Sales Contract to alert prospective purchasers to the following:

7.6.1 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;

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

8.1 Clothes Drying Facility

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

8.2 Car Parking

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

8.3 Management Plan-Vehicular Entry Gates

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

8.4 Landscaping

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

8.5 Section 70A Notification under the Transfer of Land Act

With regard to condition 7.6, this notification shall be lodged and registered in accordance with the Transfer of Land Act;

8.6 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

8.7 Acoustic Report

With regard to condition 7.3, certification from an Acoustic Consultant that the measures have been undertaken shall be provided to the satisfaction of the City.

ADVICE NOTES:

1. With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
 2. With regard to condition 7.2, Council encourages landscaping methods and species selection which do not rely on reticulation;
 3. A Road and Verge security bond for the sum of \$3000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
 4. Any new street/front wall, fence and gate within the Loftus 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 Loftus 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 7.1, all the privacy screening shown on the floor and elevation plans shall comply with the requirements of the Residential Design Codes WA 2013; and
 7. With regard to condition 7.5, 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.
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PURPOSE OF REPORT:

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

BACKGROUND:

Nil.

History:

Nil.

Previous Reports to Council:

Nil.

DETAILS:

Landowner:	Small Bear Investments Pty Ltd
Applicant:	Aztec Architects Pty Ltd (Dan Sanbrook)
Zoning:	Residential R60
Existing Land Use:	Single House
Use Class:	Multiple Dwellings
Use Classification:	P"
Lot Area:	386.22 square metres
Right of Way:	Eastern side, sealed, 5 metres in width

The proposed application is for the demolition of an Existing Single House and the Construction of Three (3) Storey Multiple Dwelling Development Comprising Four (4) Multiple Dwellings and Associated Car parking.

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 'Deemed-to-Comply'" or TPS Clause	'Design Principles' Assessment or TPS Discretionary Clause
Plot Ratio		✓
Front Fence	N/A	
Front Setback		✓
Building Setbacks		✓
Boundary Wall	✓	
Building Height	✓	
Building Storeys	✓	
Open Space	✓	
Bicycles	✓	
Access & Parking	✓	
Privacy		✓
Solar Access	✓	
Roof Forms		✓
Site Works	N/A	
Essential Facilities	✓	
Surveillance	✓	

Acceptable Variations

Issue/Design Element:	Plot Ratio
Requirement:	Residential Design Codes Clause 6.1.1 0.7= 270.35 square metres
Applicant's Proposal:	0.736 = 284.1 square metres (variation of 13.75 square metres)
Performance Criteria:	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>"In terms of bulk and scale our proposal is designed to reflect the current allocated zoning and future desired density and scale for the site- being Residential R60. We have maintained a maximum three storey height and a mixture of skillon and pitched roofs to reduce the feeling of height. Varied setbacks and wall planes combined with differing colours etc will serve to break up the bulk of the proposal and add interest to all elevations."</i>
Officer technical comment:	<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 visioned by the City along Loftus Street. Currently the streetscape is host to a variety of development types ranging from single storey through to multi storey development, 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 minor (13.75 square metres) and is not expected to impact on the surrounding area in terms of bulk and scale.</p> <p>Furthermore it is considered that the development will enhance the desired streetscape for the area and will provide a catalyst for regeneration of existing sites along this part of Loftus Street.</p>

Issue/Design Element:	Street Setback
Requirement:	<p>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2</p> <p>Loftus Street Ground Floor= 6.8 metres Upper Floors Wall = 2 metres behind each portion of the ground floor setback (8.8 metres) Balcony = 1 metre behind the ground floor setback (7.8 metres)</p>
Applicant's Proposal:	<p>Ground Floor= 5.544 metres to 6.8 metres (variation of 1.256 metres) First Floor Wall= 8.494 metres (variation of 0.306 metre) Balcony= 7.799 metres (variation of 0.001 metre)</p>

Issue/Design Element:	Street Setback
Performance Criteria:	<p>Residential Design Elements Policy No. 7.2.1 Clause 6.4.2 SPC5</p> <p>(i) Development is to be appropriately located on site to:</p> <ul style="list-style-type: none"> • Maintain streetscape character; • Ensure the amenity of neighbouring properties is maintained; • Allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • Facilitate solar access for the development site and adjoining properties; • Protect significant vegetation; and • Facilitate efficient use of the site. <p>(ii) Variations to the Deemed-to-Comply Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>
Applicant justification summary:	<p><i>“Being a multiple dwelling we have ensured the parking is to the rear from the right of way. We feel that the varied setbacks, materials and colours will contribute positively to the current and future streetscape of the area and provide an interesting reference point for future development.”</i></p>
Officer technical comment:	<p>The proposed development is considered to comply with the design principles as its design provides for a staggering of front setbacks on both the lower and upper storeys. The upper floor provides for an open balcony and includes a variation of finishes. All this contributes to not only reduces bulk and scale to the existing streetscape but provides an attractive street frontage which is in keeping with the existing varied Loftus Street streetscape.</p> <p>The landscaping provided will contribute to the streetscape and the amenity of the residents.</p> <p>Council at its Ordinary Meeting on the 9 September 2014 conditionally approved a similar ground floor street setback at No. 161 Loftus Street, Leederville.</p>

Issue/Design Element:	Building Setbacks
Requirement:	<p>Residential Design Codes Clause 6.1.4</p> <p>Ground Floor Southern boundary= 1.5 metres Second Floor Northern boundary= 3.1 metres</p>

Issue/Design Element:	Building Setbacks
Applicant's Proposal:	Ground Floor Southern boundary= Nil (parking piers) (variation of 1.5 metres) Second Floor Northern boundary= 1.5 metres to 3 metres (variation of 1.6 metres to 0.1 metre)
Performance Criteria:	Residential Design Codes Clause 6.1.4 P4.1 Buildings setback from boundaries or adjacent buildings so as to: <ul style="list-style-type: none"> • ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them; • moderate the visual impact of building bulk on a neighbouring property; • ensure access to daylight and direct sun for adjoining properties; and • assist with protection of privacy between adjoining properties.
Applicant justification summary:	Nil
Officer technical comment:	<p>Southern Boundary: The proposed development is considered to comply with the design principles as the ground floor is compliant with the boundary setbacks except the southern piers which do not occupy the whole length of the boundary and there is an open space between the piers. Moreover given there will be a fence of 1.8 metres along the southern boundary, only between 0.5 metres to 0.8 metres of the height of the piers will be seen from the adjoining property. In addition a pier width is around 0.3 metre and therefore they will not be visually intrusive for the adjoining property nor will it impact on the adjoining property's access to sunlight and ventilation.</p> <p>Northern Boundary: The setback variations in regard to the northern boundary exist on the second floor where most of the building is setback 3 metres, leaving a 0.1m variation. Only a relative small portion of the wall (13 per cent of the total wall) is setback at 1.5 metres.</p> <p>These variations will not have an impact on the adjoining northern property in terms of overshadowing or access to sunlight as the proposal is located on the southern side of the adjoining property.</p> <p>The development complies with overshadowing requirement as per the Residential Design Codes 2014. In addition all the major openings have been screened as required by the Residential Design Codes to prevent any privacy impact on the adjoining properties except Balcony to Unit 2 as outlined below.</p>

Issue/Design Element:	Roof Forms
Requirement:	Residential Design Elements Policy No. 7.2.1 Clause 7.4.3 BDADC 3 The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged.
Applicant's Proposal:	10 degrees to 20 degrees

Issue/Design Element:	Roof Forms
Design Principles	<p>Residential Design Elements Policy No. 7.2.1 Clause 7.4.3 BDAPC 3</p> <p>The roof of a building is to be designed so that:</p> <ul style="list-style-type: none"> • It does not unduly increase the bulk of the building; • In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and • It does not cause undue overshadowing of adjacent properties and open space.
Applicant justification summary:	Nil.
Officer technical comment:	<p>The proposed development is considered to comply with this performance criteria:</p> <ul style="list-style-type: none"> • 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. • It is also noted that a pitched roof would result in more overshadowing of the adjoining property rather than skillion roof format. • The Loftus Street streetscape contains a mixture of roof pitch types ranging with some flat roofed dwellings to sharply pitched roofs. Therefore the proposed roof will not have any negative impact on the streetscape.

Variation Requiring a Condition

Issue/Design Element:	Visual Privacy
Requirement:	<p>Residential Design Codes Clause 6.4.1</p> <p>Balcony= 6 metres to boundary</p>
Applicant's Proposal:	Balcony to Unit 2= 5.23 metres to the southern boundary
Performance Criteria:	<p>Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</p> <ul style="list-style-type: none"> • building layout, location; • design of major openings; • landscape screening of outdoor active habitable spaces; and/or • location of screening devices. <p>Maximum visual privacy to side and rear boundaries through measures such as:</p> <ul style="list-style-type: none"> • offsetting the location of ground and first floor windows so that viewing is oblique rather than direct; • building to the boundary where appropriate; • setting back the first floor from the side boundary; • providing higher or opaque and fixed windows; and/or • screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).

Issue/Design Element:	Visual Privacy
Applicant justification summary:	<p><i>"We feel that we have provided a high level of amenity to occupants of this proposal. There are large balconies, solar access and ventilation to all habitable rooms. Ample storage is included separately in the form of lockable stores.</i></p> <p><i>Each unit has opportunity for unrestricted views whilst maintaining a high level of privacy via appropriate screening devices."</i></p>
Officer technical comment:	<p>It is recommended that a condition to provide screening to the southern elevation of the balcony for Unit 2 is imposed on the approval to prevent overlooking from this area into the adjoining property.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comment Period:	16 July 2014 to 30 July 2014
Comments Received:	Six 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>The variation to the plot ratio is minimal and is not expected to impact on the streetscape or adjoining properties in terms of bulk and scale.</p>
<p><u>Issue: Boundary Setback</u></p> <p>The nil setbacks of the parking piers will have a visual impact on the adjoining property. In addition there will overshadowing of the backyard of the adjoining southern property.</p> <p>The northern wall with balconies as major openings does not comply with the required setbacks.</p>	<p>The maximum height of the parking piers will be 2.6 metres, around 0.5 metres to 0.8 metres above the dividing fence, the width of the piers will be 0.3 metre and there will be open space between the piers which will minimise the visual impact on the adjoining property. In addition the applicant has amended the plans to comply with the overshadowing requirement.</p> <p>As the balconies have been screened they are not considered to be major openings. On the first floor the wall facing the northern boundary complies with the required setbacks. On the second floor there is a variation to the setback, however, only a relative small portion of the wall (13 per cent of the total wall) is setback at 1.5 metres. Moreover the variation to the wall will not have an impact in terms of overshadowing as it is located on the southern side of the adjoining northern property. In this instance there will be no impact in terms of sunlight and ventilation.</p>

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Street Setback</u></p> <p><i>“Front setback does not allow for sufficient landscaping, nor does it facilitate solar access for our adjoining southern property.”</i></p>	<p>The applicant has amended the plans to comply with the landscaping and overshadowing requirements.</p>
<p><u>Issue: Visual Privacy</u></p> <p>Concerns about privacy impact on adjoining properties.</p> <p>Screening of 1.65 metres of the balconies will not prevent overlooking of the adjoining properties.</p>	<p>The applicant amended the plans to provide screening to all the balconies except the balcony to Unit 2 which is recommended to be screened.</p> <p>As per the R-Codes screening up to 1.6 metres above the floor level is considered to satisfy the privacy requirement.</p>
<p><u>Issue: Rear Interface</u></p> <p>As per the City’s Multiple Dwellings Policy the third storey is required to be setback 12 metres from the property to the rear including the right of way.</p> <p><i>“In my opinion, a high density development should be carried out with particular sensitivity when it is in close proximity to lower density lots with street and neighbourhood character of value, and also when it is the first of its type for the area. This application fits those criteria and approving this application in its current form is not in the best interests of the existing or future residents.</i></p> <p><i>This proposed development is the first of its type for the street block in question (bounded by Loftus, Anzac, Commonwealth and Chamberlain). It goes far beyond the surrounding dwellings in many respects including height, appearance, dwelling density and plot ratio. Many of the requested discretionary concessions for this property could have significant negative impact on the surrounding lots, in particular the neighbouring R30 lots on Commonwealth Avenue, who are rightfully restricted from constructing a dwelling on their own lot that would have similar impact on the surrounds.</i></p> <p><i>This R60 four-unit development has the potential to be overbearing in its presence over the backyard of the neighbouring R30 single-storey houses, which I would consider an aspect of amenity more important than street appeal.”</i></p>	<p>The City’s Multiple Dwellings Policy states that each additional storey above the prescribed height allowed to the side or rear of the proposed development shall be setback 12 metres from the boundary. However, in this instance, the prescribed height for this development is three storeys and the applicant is proposing three storeys. In this instance this requirement of the policy does not apply.</p> <p>The proposal complies with the required 6 metre setback required in the City’s Multiple Dwellings Policy No. 7.4.8 when a multiple dwelling development adjoins a property below R60.</p> <p>This distance includes the setback of the development to the eastern boundary as well as the width of the right of way.</p> <p>Therefore the proposal complies with the City’s requirements to mitigate interface impact from scale and bulk.</p>

Summary of Comments Received:	Officers Technical Comment:
<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 southern property.</p>	<p>The applicant has amended the plans to comply with the requirements of the R-Codes in terms of overshadowing.</p>
<p><u>Issue: Car and Bicycle Parking</u></p> <p>The proposal does not comply with the required car and bicycle parking requirements which will impact on the amenity of the adjoining properties.</p>	<p>The proposal complies with the car parking requirements as per the R-Codes. With regard to the bicycle parking the applicant has amended the plans to comply with the bicycle parking requirements. Please refer to attachment 004 for parking calculations.</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.</p>	<p>The applicant has amended the plans to comply with the requirements of the landscaping.</p>
<p><u>Issue: Roof pitch</u></p> <p>The roof pitch is out of character with the surrounding area, especially the R30 lots at the rear of the property.</p>	<p>The proposal relates mainly to the Loftus Street streetscape and to a lesser extent to the properties to its east, which are separated from the subject site by the Rights of Way. The Loftus Street streetscape contains a mixture of roof pitch types ranging from flat roofed dwellings to sharply pitched roofs. As it does not have a distinct character the proposal is considered to be acceptable.</p>
<p><u>Issue: Setback from Right of Way</u></p> <p>The 0.5 metre setback of the balcony from the right of way will impact on the rear lots.</p>	<p>The applicant amended the plans and the balcony is setback 1.3 metres from the right of way.</p>
<p><u>Issue: Open Space</u></p> <p>Variation to the required 45 per cent of the open space will impact on the amenity of the surrounding properties.</p>	<p>The applicant amended the plans to comply with the required 45 per cent open space. It is noted that an alfresco area is considered a s open space as per R-Codes when it is not more than 0.5 metres above natural ground level, unenclosed on two sides and covering no more than 10 per cent of the site area or 50 square metres.</p>
<p><u>Issue: Noise</u></p> <p>The noise from the open car park will impact on the adjoining properties in terms of noise.</p>	<p>Environmental Protection (Noise) Regulations will apply to this development, as it does to existing development.</p>
<p><u>Issue: Boundary Wall</u></p> <p>The boundary wall proposed along the northern boundary will have a visual impact.</p>	<p>The proposed boundary wall complies with the average and maximum heights as required by the R-Codes. Therefore it is considered that there will be no visual impact on the adjoining property.</p>

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

External Consultation

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

Design Advisory Committee:

Referred to Design Advisory Committee: Yes

The proposal was referred to DAC meeting on 2 April 2014 and the DAC's comments are included in Attachment 005.

Given the proposal is a three (3) storey development, no design excellence is required in this instance.

However, the revised proposal currently being considered has responded to the matters raised at the meeting of DAC, resulting in a better design outcome than was previously contemplated.

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."

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

The proposed development application involves the demolition of the existing dwelling at No. 216 Loftus Street, North Perth. The subject buildings are not listed on the City's Municipal Heritage Inventory (MHI) or the MHI Review List.

A preliminary heritage assessment indicates that the subject place has little aesthetic, historic, scientific or social heritage significance and the place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered. In accordance with the City's Policy No. 7.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

In light of the above, it is considered that approval should be granted for demolition subject to the standard condition.

Planning

Although the proposal is not fully compliant, the proposed variations are considered to be acceptable as discussed in this report.

Given the site is located along Loftus Street it is easily accessible to public transport and a development of four (4) 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 Loftus Street.

Conclusion:

The proposal is considered to be generally acceptable. This development will contribute positively to the future streetscape of Loftus Street and redevelopment of the area. The proposed variations to street and building setbacks will not have an impact on the surrounding area and it is therefore recommended that the proposal is approved subject to conditions.

9.2 TECHNICAL SERVICES

9.2.1 Traffic Management – Proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth - Progress Report No. 3

Ward:	South	Date:	26 September 2014
Precinct:	Smiths Lake (6)	File Ref:	SC168, SC1248
Attachments:	001 - Plan No 3087-CP-01 002 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** that while there was a mixed response from residents regarding the proposed ‘Black Spot’ Treatment Trial at the Intersection of Richmond and Loftus Streets, North Perth, implementing the trial is worthwhile due to the high number of accidents recorded at this intersection;
2. **APPROVES** undertaking a six (6) month trial of a left in/left out only ‘Seagull’ island at the intersection of Richmond Street and Loftus Street as shown on attached Plan No. 3087-CP-01;
3. **UNDERTAKES** a detailed traffic assessment of Richmond, Thompson, Barnet and Morrision Streets before and during the trial;
4. **CONSULTS** with residents in Thompson Street and in Richmond Street, between Loftus and Barnet Streets, regarding implementing appropriate parking restrictions in these streets;
5. **RECIEVES** further progress reports on the results of the consultation as per clause 4 above and at the conclusion of the ‘Black Spot’ Treatment Trial; and
6. **ADVISES** all respondents of its decision.

PURPOSE OF REPORT:

To provide Council with a summary of the community consultation results regarding the proposed traffic management trial at Richmond/Loftus and recommend a possible way forward

BACKGROUND:

Integrated Transport Advisory Group (ITAG) Meeting of 8 October 2013 (Item 9.2.1):

The proposed ‘Seagull’ island proposal was considered where it was decided to “*recommend to Council to ‘Approve in Principle’ to put the ‘Seagull’ option out to consultation to see if the majority of people agree to proceed.*”

Ordinary Meeting of Council 3 December 2013 (Item 9.2.1):

Council considered a report on a number of ITAG referred matters one of which was the intersection of Richmond and Loftus Streets where the following decision was made (in part);

“That the Council;

3. *DEFERS proceeding with the seagull island on the eastern side of Richmond Street, Leederville at the intersection of Loftus Street, as shown on the attached Plan No. 3087-CP-01, for the reasons outlined in the report;*
4. *CONSIDERS possible alternative options for Richmond Street, as shown on attached Plan No. 3098-CP-01 which will ensure that access to and from Richmond Street and the Loftus Centre is not compromised while improving safety;*
5. *REFERS the following traffic matters back to the Integrated Transport Advisory Group for its consideration;*
 - 5.1 *Richmond Street; and...*

ITAG Meeting 30 April 2014:

The Group considered that while an alternative exit from the Loftus Centre would be desirable, and take traffic off the surrounding local road network, it is would potentially create an more hazardous situation than currently exists and would be significantly more expensive.

Ordinary Meeting of Council 12 August 2014 (item 9.2.5):

“That the Council;

1. *APPROVES conducting a six (6) month trial of a left in/left out only ‘Seagull’ island at the intersection of Richmond Street and Loftus Street as shown on attached Plan No. 3087-CP-01 and advises all affected residents of the trial;*
2. *UNDERTAKES a traffic impact assessment of Richmond, Thompson, Barnet and Morriston Streets during the course of the trial;*
3. *CONSULTS with residents in Richmond, Thompson, Barnet and Morriston Streets at the conclusion of the trial seeking their comments on the proposal; and*
4. *FURTHER considers the matter at the conclusion of the trial and following the consultation with residents as per clause 3 above.”*

DETAILS:

Consultation:

On 1 September 2014 385 letters were distributed to residents in the area bounded by Loftus, Bourke, Elven and Emmerson Street. At the close of consultation on 16 September 2014 thirty three (33) responses were received (as per Attachment 002).

- In favour = 12
- Against = 12
- Other = 9

Main issues raised:

- Concerned regarding increased traffic in Thompson Street
 - Thompson Street is currently used as a short cut
 - Thompson Street is extremely narrow and parking restrictions required in Thompson Street
-

- Barnet Street is already over used
- Will make it inconvenient when wishing to turn right from Loftus into Richmond Street
- Why not place the sea gull island on the west side of the intersection?
- Measures are required to stop motorists undertaking 'u' turns in Richmond Street.

Discussion:

Accident Statistics:

As previously reported the latest five (5) year data period data, 1 January 2009 to 31 December 2013, indicates that the number of accidents at this location had risen to twenty-one (21) of which eleven (11) involved movements into and out off the eastern (Smiths Lake) leg of the intersection and would have been prevented by the proposed treatment.



Richmond Street looking north along Loftus Street

Thompson Street:

There is an obvious concern that banning the right turn from Loftus into Richmond as proposed may direct additional traffic along Thompson Street. This concern can only be verified if a trial were implemented and traffic monitored as whenever there is a change in road layout there is a flow on effect on other roads, sometimes negligible and sometimes more significant.

Thompson Street currently has a 'no stopping' restriction on the south side and unrestricted on the north side. Residents will be canvassed regarding implementing a 2P restriction on the north side of the street.



Thompson Street looking west from Barnet Street

Richmond Street:

Richmond Street currently has a 'no stopping' restriction on the North side of the street between Loftus and Barnet Street and unrestricted on the north side. Residents will be canvassed regarding implementing a 2P restriction on the south side of the street.

Recommendations:

It is considered that while there is a 50/50 split 'for and against' the trial due to the high accidents recorded at this intersection proceeding with the trial would be worthwhile. Any flow on effects from the trial would be carefully considered at the conclusion of the trial prior to recommending a final solution.

CONSULTATION/ADVERTISING:

The residents of Richmond Street and the streets immediately abutting were consulted regarding the trial

LEGAL/POLICY:

Richmond Street is classified as an Access Road and Loftus Street is a District Distributor A Road in accordance with the Functional Road Hierarchy. Both roads are under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

High: Black Spots are based upon a five (5) year accident history. For the period 1 January 2008 to 31 December 2012 the intersection recorded thirteen (13) accidents of which eight (8), would have potentially been prevented with the proposed treatment. For the period 1 January 2009 to 31 December 2013, the five (5) year accident rate had risen to twenty-one (21) of which eleven (11) would have been prevented.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

Improvements in safety and amenity for residents and road users.

FINANCIAL/BUDGET IMPLICATIONS:

The project has approved State 'Black Spot' funding of \$20,000, while the City's contribution is \$10,000 (total project budget \$30,000). The cost of the trial will be in the order of \$8,000. If made permanent, following the trial, the cost of the works should still be within the budget and therefore eligible for the 'Black Spot' funding. If it does not proceed and is removed, the cost would need to be absorbed by the City and no claim lodged.

COMMENTS:

While there appears to be no clear mandate from the residents most likely to be affected by the proposed trial and other potential issues have been raised, the recorded accident data is undeniable and the issue needs the addressed. Therefore in the interest of safety it is requested that the officer recommendation be supported.

9.2.2 Lynton Street Reserve Proposed Extension of Western Boundary Fencing – Consideration of Submissions

Ward:	North	Date:	26 September 2014
Precinct:	Mt Hawthorn	File Ref:	SC486
Attachments:	001 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** the submissions received in relation to the possible extension of the western boundary fence at Lynton Street Reserve, Mount Hawthorn;
2. **DOES NOT PROCEED** with the proposal to extend or install any additional fencing around the existing reserve;
3. **AUTHORISES** the Director Technical Services to **LIAISE** with the various stakeholders regarding implementing appropriate safety and amenity improvements, including but not limited to:
 - 3.1 the Strata Managers of Brady Gardens and the Department of Housing providing appropriate lighting in the vicinity of the privately owned common property pathway within the Brady Gardens property;
 - 3.2 the Strata Managers of Brady Gardens and the Department of Housing undertaking regular pruning and possible replacement of the existing shrubbery along both sides of the privately owned common property pathway through Brady Gardens; and
 - 3.3 the Water Corporation of Western Australia implementing measures to restrict access from its infrastructure into the adjacent properties;
4. **LISTS** an amount of \$7,000 for consideration in the 2015/16 Draft Budget to install lighting within Lynton Street park; and
5. **ADVISES** all of the respondents including the Strata Managers of Brady Gardens, the Department of Housing, Water Corporation and residents of its decision.

PURPOSE OF REPORT:

Provide Council with the results of the recent community consultation and a summary of the comments received at the public meeting held at the City's Administration and Civic Centre on 1 September 2014.

BACKGROUND:

At the Ordinary Meeting of Council held on 12 August 2014 the following decision was made:

"That the Council;

1. *NOTES that;*
 - 1.1 *this report deals with a possible extension of a portion of the western boundary fence on the Lynton Street Reserve, to improve safety and protect residents amenity; and*
 - 1.2 *not all in the immediate area are in favour of the proposal;*
2. *CONSULTS with the local community, and stakeholders, including holding a public meeting during the consultation period, regarding the proposal; and*
3. *RECEIVES a further report at the conclusion of the consultation period."*

DETAILS:

Consultation was undertaken with the local community, Water Corporation, Department of Housing and Brady Gardens residents in relation to the possible extension of the western boundary fencing of Lynton Street Reserve. This consultation occurred by way of a mail out and a public meeting held on 1 September 2014 at the City's Administration and Civic Centre.

Community Consultation:

On 27 August 2014 a total of 285 consultation packs were distributed. At the close of consultation on 10 September 2004, 16 responses were received. The results of the consultation are summarised below and the comments received are outlined in Attachment 9.2.2.

- In favour = 8
- Against = 5
- Other = 3

Discussion:

In view of the WA Police crime data received, the poor response rate and fairly close result both for and against the possible extension of the western boundary fence it is not recommended that this proposal is progressed.

The Department of Housing advised that it has attempted and will continue to work with the City and private owners of Brady Gardens in an effort to improve safety for residents. The Department has refuted claims that the public housing tenants of Brady Gardens are the cause of anti-social behaviour.

The Water Corporation raised no concerns with the initial proposal to extend the boundary fence, but asked to be notified of any proposal to fence off its pumping station site.

Public Meeting:

The meeting held on 1 September 2014 at the City's Administration and Civic Centre was attended by 13 members of the public. The Mayor opened the meeting and advised all attendees of recent WA Police crime data forwarded to the City, which did not identify any major crime issues or trends within the general area of the park. He also advised that WA Police would undertake targeted patrols in the vicinity.

Several attendees spoke about various issues both in and around the park; however the four (4) main points discussed were as follows:

- Extension of western boundary fence
- Lighting
- Shade Sail
- Water Corporation pumping station

Extension of western boundary fence:

Attendees expressed mixed views on the possible extension of the western boundary fence, but the prevailing consensus appeared to be that such fencing would not likely address or resolve any perceived criminal or anti-social behaviour in the area.

Lighting in park area:

Lighting was requested both within the park and within the adjacent private pathway that runs through Brady Gardens. It was also noted that the existing shrubs along that pathway had become quite high, restricting any light penetration.

Officer Comments:

Council may wish to "list for consideration" an amount in the order of \$7,000 in the 2015/16 Draft Budget to provide lighting within Lynton Street Reserve. This has not been included in Administration's recommendation, as such lighting is not considered a necessity for the park and could in fact attract anti-social behaviour after hours. Regardless, if Council would like to flag such expenditure for close consideration in the 2015/16 Draft Budget, then that decision would need to be made by Absolute Majority.

Furthermore, as the pathway that runs through Brady Gardens is private property, Administration will liaise with the property owners and suggest that lighting be installed within the common area and the existing vegetation be pruned regularly or replaced with more appropriate plantings (by the Strata Company/Department of Housing).

Shade Sail in Playground:

It was requested that a shade sail over the children's playground be considered as the playground equipment gets extremely hot in the midday sun during the warmer months.

Officer Comments:

Shade sails are expensive to install and to maintain and their installation has generally been reserved for larger parks with higher usage. Natural shade through additional tree planting is the preferred option in this instance. A poorly structured and unhealthy tree was removed from the northern side of the playground some time ago and there is ample area to plant two (2) semi-mature fast growing trees with a spreading canopy in this space, which will provide the shade required within a relatively short period of time.

Water Corporation Pumping Station:

A number of concerns were raised with regard to the safety of the pumping station and an adjacent owner/occupier advised that children are often witnessed climbing onto the roof of the building.

Officer Comments:

Officers have inspected the pumping station and have not identified any immediate danger. There is a section of chainmesh fencing installed along the Lynton Street frontage that appears to serve no real purpose and this could be removed to open the area up further. Several large bottlebrush trees at the rear of the pumping station building are likely to provide the easy access onto the building's roof, although targeted removal of one or two limbs should halt this practice. Officers will liaise with the Water Corporation in regards to this.

CONSULTATION/ADVERTISING:

The Department of Housing, Water Corporation and the local community around Lynton Street Reserve were consulted in regard to this proposal. A public meeting was also held at the City's Administration & Civic Centre on Monday 1 September 2014.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: A physical barrier could improve the perceived amenity/safety of all park users and nearby residents, but could also impede convenient access to and use of the park.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Additional tree planting to provide more natural shade over the playground has now been undertaken as part of the 2014/2015 reserve replanting budget at an estimated cost of \$1,000.

COMMENTS:

Following the consultation period and comments received at the public meeting, it is not recommended that the proposal to extend the western boundary fence be progressed. Furthermore, with ongoing liaison with both the Water Corporation and the Strata Managers of Brady Gardens it is likely that the general (and perceived) safety and amenity of the area can be improved.

9.3 CORPORATE SERVICES

9.3.1 Financial Statements as at 31 August 2014

Ward:	Both	Date:	26 September 2014
Precinct:	All	File Ref:	SC357
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	N Makwana, Accounting Officer; B Wong, Accountant; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 31 August 2014 as shown in Attachment 001.

PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 31 August 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 31 August 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	49-55

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)

Operating Revenue excluding Rates

YTD Actual	\$4,170,457
YTD Revised Budget	\$4,628,251
YTD Variance	(\$457,794)
Full Year Budget	\$30,810,822

Summary Comments:

The total operating revenue is currently 90% of the year to date Budget estimate.

Operating Expenditure

YTD Actual	\$8,114,422
YTD Revised Budget	\$8,651,331
YTD Variance	(\$536,909)
Full Year Budget	\$51,659,410

Summary Comments:

The total operating expenditure is currently 94% of the year to date Budget estimate.

Net Operating and Capital Excluding Rates

The net result is Operating Revenue less Operating Expenditure plus Capital Revenue, Profit/(Loss) of Disposal of Assets and less Capital Expenditure.

YTD Actual	\$2,611,684
YTD Revised Budget	\$4,541,361
Variance	(\$1,929,677)
Full Year Budget	\$30,108,800

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 \$39,968,847 and non-current assets of \$250,371,259 for total assets of \$290,340,106.

The current liabilities amount to \$12,388,619 and non-current liabilities of \$17,597,675 for the total liabilities of \$29,986,294.

The net asset of the City or Equity is \$260,353,812.

7. Net Current Assets (Note 6)

Net Current Asset is the difference between the current asset and current liabilities less committed assets and restricted assets. This amount indicates how much capital is used up by day to day activities. The net current funding position as at 31 August 2014 is \$20,929,197.

8. Capital Expenditure and Funding Summary (Note 7)

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

	Budget	Year to date Budget	Actual to Date	%
Furniture & Equipment	\$153,625	\$28,575	\$0	0%
Plant & Equipment	\$1,205,167	\$342,300	\$91,950	27%
Land & Building	\$1,774,275	\$277,000	\$4,044	1%
Infrastructure	\$13,762,767	\$1,957,763	\$810,184	41%
Total	\$16,895,834	\$2,605,638	\$906,178	35%

	Budget	Year to date Budget	Actual to Date	%
Capital Grant and Contribution	\$3,048,092	\$0	\$0	0%
Cash Backed Reserves	\$6,110,968	\$1,287,319	\$467,615	36%
Other (Disposal/Trade In)	\$134,000	\$31,000	\$31,973	103%
Own Source Funding – Municipal	\$7,602,774	\$1,287,319	\$406,590	32%
Total	\$16,895,834	\$2,605,638	\$906,178	35%

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 31 August 2014 is \$8,302,984. The balance as at 31 July 2014 was \$8,485,666.

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 \$776,263 is outstanding at the end of August 2014.

Out of the total debt, \$324,842 (45.8%) 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 the 21 July 2014.

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

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

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

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

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

Rates outstanding as at 31 August 2014 including deferred rates was \$11,711,673 which represents 42.50% of the outstanding collectable income compared to 41.28% at the same time last year.

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

As at 31 August 2014 the operating deficit for the Centre was \$9,363 in comparison to the year to date revised budgeted deficit of \$177,411.

The cash position showed a current cash surplus of \$117,192 in comparison to the year to date revised budget estimate of a cash deficit of \$89,069. 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 Council's adopted Annual Budget or has been authorised in advance by Council where applicable.

9.3.2 Lease for North Perth Tennis Club – Lease of Premises at Woodville Reserve, 10 Farmer Street, North Perth

Ward:	North	Date:	26 September 2014
Precinct:	North Perth (8)	File Ref:	SC351/SC621
Attachments:	001 – Map of proposed leased area 002 – Letter from North Perth Tennis Club		
Tabled Items:	Nil		
Reporting Officer:	K Davies, Executive Secretary Corporate Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

1. That Council **APPROVES** a lease from 1 April 2015 to 31 March 2020 with a further five (5) year option over the premises at 10 Farmer Street, North Perth being granted to the North Perth Tennis Club, as defined by the area bounded in red on Attachment 001, as follows:

- | | | |
|-----|----------------|--|
| 1.1 | Term: | five (5) years plus five (5) year option; |
| 1.2 | Rent: | \$1,000 per annum plus GST indexed to CPI; |
| 1.3 | Outgoings: | to be paid by the Lessee; |
| 1.4 | Rates & Taxes: | to be paid by the Lessee; and |
| 1.5 | Permitted Use: | Sporting Facility. |

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

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a request from the North Perth Tennis Club to lease premises at Woodville Reserve and their request for an extension of the lease.

BACKGROUND:

The North Perth Tennis Club has held a lease with the City for the premises located at Woodville Reserve, 10 Farmer Street, North Perth for a period of six years. The current lease is due to expire on 31 March 2016.

DETAILS:

The Club has requested a new lease for a period of ten years, which will allow it to commence its redevelopment process, which is required due to the increase in demand it is experiencing (refer Attachment 002).

During its six year lease period, the North Perth Tennis Club has ensured that the premises is well maintained and kept clean at all times.

Administration supports the Club's continued use of the premises under a five (5) year lease arrangement, with an option for a further five (5) year period. The Club will be requested to submit its constitution, operating and financial statements for assessment as part of the negotiations.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

City of Vincent Policy 1.2.1 – Policy Statement:

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

RISK MANAGEMENT IMPLICATIONS:

Low: The North Perth Tennis Club has been an excellent tenant during its 6 year lease period.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The current annual lease payment for the North Perth Tennis Club is \$962.05 per annum (GST inclusive) and is linked to the annual Consumer Price Index (CPI).

COMMENTS:

The North Perth Tennis Club has been an excellent tenant for the duration of its lease period and Administration supports the granting of a new five (5) year lease with a further five (5) year option, for the Club to undertake its planned redevelopment works at the site.

9.4 COMMUNITY SERVICES

9.4.1 Vincent Accord Party Bus Registration Scheme Fee Implementation

Ward:	Both	Date:	26 September 2014
Precinct:	All	File Ref:	SC1479
Attachment:	All		
Tabled Items:	Nil		
Reporting Officers:	R Hill, Customer Service Officer Ranger and Community Safety Services S Butler, Manager Ranger and Community Safety Services		
Responsible Officer:	J. Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council APPROVES BY AN ABSOLUTE MAJORITY;

1. The implementation of a Registration Fee for the Vincent Accord Party Bus Scheme operating within the City of Vincent; and
2. The inclusion in the City's Fees & Charges for 2014/2015 of a Registration Fee for that Scheme of \$100.00 per bus per annum, effective on a pro rata basis from 1 January 2015.

PURPOSE OF REPORT:

The purpose of this report is to seek Council approval to introduce a registration fee for Party Buses operating within the City of Vincent.

BACKGROUND:

The City has a number of 'Entertainment Precincts' where the public can enjoy restaurants, hotels, cafés, clubs and bars. Complaints of anti-social behaviour received by the City indicated the issues were generally confined to limited areas in each of the 'Entertainment Precincts' in Leederville, West Perth and Mt Hawthorn.

At the Safer Vincent Crime Prevention Partnership meeting on 16 April 2008, the Partnership approved, by a majority, the following recommendation:

"That the Vincent Accord seeks the approval of the Council for the implementation of a comprehensive Party Bus Strategy, to assist in the reduction in the number of complaints, emanating from the public, regarding patrons of licensed premises."

A Party Bus Working Group was introduced to develop initiatives to try and reduce the impact on residents and businesses in close proximity to licensed venues, whilst reducing the instances of anti-social behaviour and the likelihood of people driving while under the influence of alcohol, or drugs.

In consultation with bus operators and licensed premises, it was decided to instigate a "Party Bus Strategy" which would result in bus operators being issued with a parking permit, to use in designated areas. Rangers would enforce this requirement and any bus using the facility without displaying the relevant permit, would be issued with an infringement notice.

At its Ordinary Meeting on 10 February 2009 (Item 9.1.11), Council approved a trial of the Vincent Accord Party Bus Registration scheme for buses operating within the City of Vincent.

At its Ordinary Meeting on 27 April 2010 (Item 9.1.9), Council approved the implementation of the Vincent Accord Party Bus Registration Scheme.

DETAILS:

The objective of the Vincent Accord Party Bus Registration scheme is to identify and promote authorised party bus services operating within Vincent.

All bus operators partaking in the scheme agreed to abide by a strict code of conduct and a co-operative approach to transporting people to and from licensed venues, thereby minimising any adverse impact on surrounding residents and businesses.

Party Bus operators conduct a business and receive advantages such as designated lay over and set down areas, as opposed to other operators who do not register with the City of Vincent.

Party Bus operators charge patrons a variety of fees depending on the number of patrons and size of the bus. Information received from bus companies indicates fees range from \$350 for a one way transfer up to \$850 for transfer to a number of venues.

For the 2014/2015 financial year, a total of twenty three (23) companies registered for the Party Bus Registration service, and a total of 109 Party Bus permits were issued.

The cost to the City for providing bus registration permits for this initiative during 2012/2013 was \$416. In 2014/2015 the cost was \$782.10. In addition to the permits, there are additional costs in administration and an ongoing need to maintain signage and line marking. Accordingly, it is appropriate for the City to offset costs incurred by charging an annual registration fee.

It is proposed that an annual registration fee of \$100 per bus be implemented on a pro rata basis from 1 January 2015.

CONSULTATION/ADVERTISING:

If approved by Council, Administration will correspond with all owners of Party Buses advising them of the fees associated with registering a bus. It is intended the fee will be payable on a pro rata basis, as of 1 January 2015.

LEGAL/POLICY:

Council can impose fees and charges to recover the costs of providing services such as the Party Bus Registration Scheme.

RISK MANAGEMENT IMPLICATIONS:

Low: The Vincent Accord Party Bus Registration scheme identifies authorised bus services to operate within Vincent. The introduction of this fee is expected to have minimal impact.

STRATEGIC IMPLICATIONS:

This recommendation aligns with the Strategic and Community Plan 2013 – 2017;

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

3.1.2 *'Promote and foster community safety and security.'*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The cost to the City for providing bus registration permits for this initiative during 2012/2013 was \$416. In 2014/2015 the cost was \$782.10. In addition to the permits, there are additional costs in administration and an ongoing need to maintain signage and line marking. Accordingly, it is appropriate for the City to offset costs incurred by charging an annual registration fee.

The introduction of a Party Bus Registration fee will generate revenue of approximately \$10,900 per annum and will cover costs associated with maintaining and further developing this initiative. It is proposed the registration fee will be implemented on a pro rata basis from 1 January 2015.

COMMENTS:

The Vincent Accord Party Bus Registration scheme was developed to improve the quality of life for residents and businesses that occupy property close to licensed premises, by reducing the instances of anti-social and criminal behaviour. The initiative also enhances security for party bus patrons through quality assurance and registration and management of companies providing the service. The introduction of the registration fee will allow the City to recoup costs associated with the management and administration of the Party Bus Scheme.

9.4.2 Beaufort Street Festival – Parking Requirements

Ward:	South	Date:	26 September 2014
Precinct:	Forrest (14); Beaufort (13) & Hyde Park (12)	File Ref:	CMS0110; CMS0130
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	S Butler, Manager Ranger and Community Safety Services		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council **APPROVES** the following parking arrangements for the 2014 Beaufort Street Festival:

1. In relation to Forrest Park -
 - 1.1 The use of Forrest Park as a parking area to accommodate parking for the Beaufort Street Festival on Saturday, 15 November 2014;
 - 1.2 Highgate Primary School Parents and Citizen’s Committee (P&C) being appointed to manage parking on Forrest Park;
 - 1.3 The operating hours for the parking facility to be from 7am to 12 midnight on Saturday, 15 November 2014;
 - 1.4 A \$10.00 fee being charged and retained by the Highgate Primary School P&C for each vehicle that uses the facility;
 - 1.5 Beaufort Street Festival Organisers being required to notify intending Festival patrons of the parking facility; and
 - 1.6 Beaufort Street Festival Organisers being required to conduct a letter drop to all properties in the area bounded by Harold Street, Lord Street, Walcott Street and Beaufort Street, to ensure the community is aware of the use of Forrest Park as a parking area on Saturday, 15 November 2014.

2. In relation to nib Stadium Parking Restrictions -
 - 2.1 The suspension of existing nib stadium parking restrictions from Lincoln Street to Harold Street on Saturday, 15 November 2014; and
 - 2.2 Residents in the nib Stadium Residential Parking Permit Areas 4 and 5 being advised of the temporary arrangements specified in clause 2.1 above; and

3. In relation to Barlee Street Car Park -
 - 3.1 The use of Barlee Street Car Park during the Beaufort Street Festival on Saturday, 15 November 2014, for the purpose of an ‘Up-cycle Bar’ designed by sponsor James Squire;
 - 3.2 Barlee Street Car Park to be closed to the public from 6am on Friday, 14 November 2014 until 12 midnight on Sunday, 16 November 2014, to accommodate set up and take down periods and Festival activities; and
 - 3.2 Barlee Street Car Park to be cleared, swept and re-opened for use by the public by 6am on Monday, 17 November 2014.

PURPOSE OF REPORT:

The purpose of this report is for Council to consider:

1. Approving the use of Forrest Park as a temporary parking facility during the Beaufort Street Festival on Saturday, 15 November 2014;
2. Authorising Highgate Primary School P&C to manage parking on Forrest Park.
3. Suspending existing nib Stadium parking restrictions from Lincoln Street to Harold Street; and
4. Closing Barlee Street Car Park from 6am on Friday, 14 November 2014, to midnight on Sunday, 16 November 2014, to allow for preparations before the event and dismantling after the event.

BACKGROUND:

Forrest Park has previously been used for a number of concerts held at nib Stadium and for the 2012 and 2013 Beaufort Street Festival.

At the Ordinary Meeting of Council held on 5 November 2013 (Item 9.4.2), the Council resolved as follows:

“That the Council APPROVES;

1. *The use of Forrest Park as a parking area, for use on Saturday, 16 November 2013, to accommodate parking for the Beaufort Street Festival, under the following conditions:*
 - 1.1 *The operating hours for the parking facility to be set from 7am to midnight on 16 November 2013;*
 - 1.2 *A flat-rate fee of \$10.00 to be charged for each vehicle that uses the facility;*
 - 1.3 *Beaufort Street Festival Organisers to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility; and*
 - 1.4 *Beaufort Street Festival Organisers to undertake a letter drop to all properties in the area bounded by Harold Street, Lord Street, Walcott Street and Beaufort Street, to ensure that the community is aware of the use of Forrest Park as a parking area; and*
2. *The use of Barlee Street Car Park as an ‘Upcycle Bar’ designed by sponsor James Squire; during the Beaufort Street Festival on Saturday, 16 November 2013, under the following conditions:*
 - 2.1 *Barlee Street Car Park will be closed to the public from 6am on Friday 15 November 2013 to midnight on Sunday, 17 November 2013, to accommodate the “bump-in’ and “bump-out” periods, as well as the Festival activities; and”*
 - 2.2 *Barlee Street Car Park will be cleared, swept and re-opened for use by the public by 6am on Monday, 18 November 2013; and*
3. *REQUESTS that the Chief Executive Officer investigate alternative mechanisms for managing Forrest Park parking on the Beaufort Street Festival Day.”*

Following the event in 2013, assessments of the impact of vehicles on the playing surface of Forrest Park were undertaken and revealed that no damage had been sustained as a result of its use as a car park.

At the Ordinary Meeting of Council held on 22 April 2014 (Item 9.4.6), the Council approved the Beaufort Street Festival and agreed to sponsor the festival with funding of \$75,000.

DETAILS:

Forrest Park:

The Beaufort Street Festival organisers have requested approval to use Forrest Park for a temporary parking facility during the 2014 Festival, which will occur on Saturday, 15 November 2014.

Control of parking for the 2013 Beaufort Street Festival at Forrest Park was offered to Highgate Primary P&C. In 2013, the P&C raised \$6,800 in parking fees and management of the event involved twenty eight (28) P&C volunteers. The Highgate Primary School P&C subsequently used the money raised for several projects at the school, including two outdoor chess sets, two outdoor paved chess boards and two pianos. The remaining funds were used to sponsor students in a variety of projects they would normally not have been able to undertake.

Forrest Park is large enough to accommodate up to 750 vehicles, without encroaching on the areas of the reserve used by Perth Soccer Club. There is a two-week break between games at this time of the year and no impact on Perth Soccer Club or other users is expected.

The previous agreement with Highgate Primary School P&C outlined responsibilities, requirements and general information required to perform parking in a safe and effective manner. Highgate Primary School P&C have indicated that they are prepared and have the capacity to again manage parking at Forrest Park, subject to conditions and standards outlined in the previous 2013 agreement, which included:

“Operational

- *Understanding of their Occupational Safety & Health responsibilities – including the use of reflective safety vests, torches and communication devices.*
- *Actions if patrons attempt to park on Forrest Park without payment.*
- *The conditional use of floodlights at dusk and the requirement to switch off the lighting at midnight.*

Key Timings

- *Forrest Park will open for parking at 7am.*
- *Forrest Park will close at midnight.*

Risk

- *Ensure all staff are at least 18 years and are aware of the conditions of operation and their responsibilities.*
- *Public Liability Insurance to the value of \$10 million will be supplied to the City of Vincent prior to the event.”*

The organisers expect approximately 120,000 people to attend this event over the course of the day, which is a similar number to the 2013 festival. The City operated a “Parking Hotline” for the 2013 Festival and, given that a larger crowd is expected to attend the 2014 event, a similar system will be in operation. This “Parking Hotline” will be advertised locally as the contact number for any parking problems and the contact mobile telephone will be carried by the Supervising Ranger. Last year, very few complaints were received about parking in the streets located around the Festival area. Rangers were dispatched to assist with the complaints.

The Beaufort Street Festival Working Group has suggested that a fee of \$10.00 per vehicle should again be charged for the 2014 Festival. If Forrest Park is approved for use, it is recommended it be a requirement of Festival organisers to actively promote the use of Forrest Park as a temporary parking venue, along with public transport options.

Barlee Street Car Park:

Barlee Street Car Park will be transformed into an 'Up-cycle' bar designed by sponsor James Squire, and will be one of the largest show pieces planned for the Festival. The intended licensed area will hold 1,250 people and the car park will require a substantial amount of work to set up and decorate. As a result, the Festival organisers would like to have exclusive access to the car park, for the whole of Friday, 14 November to set up the venue, Saturday, 15 November to operate the facility and all of Sunday, 16 November to take down and remove the 'Up-cycle' bar.

Barlee Street Car Park generally has a low occupancy during the day on a Friday, although it is well-used on a Friday night and all day Saturday. The Car Park again has low occupancy on Sundays. Whilst there will be some inconvenience to car park patrons on Friday night and Saturday, it is not believed this would pose a major issue, as there are other surrounding parking facilities which could be utilised.

Coinciding nib Stadium Perth Glory versus Western Sydney Game and Implications:

The planned Perth Glory game on Saturday, 15 November 2014, will require Residential Parking Restrictions, in the areas from Lincoln Street to Harold Street, be suspended for the day.

To assist in the set up of the Festival, the area within the barricades will be temporarily changed into a No Stopping/No Parking area, from 6pm on Friday, 14 November 2014.

The Event Organisers have been requested to ensure their advertising material includes the festival parking restrictions and advise that Rangers will be on duty patrolling surrounding streets. Whilst Rangers will exercise some leniency in respect of time restrictions, they will immediately deal with any complaints, or obstructing vehicles. Vehicles causing an obstruction, where the driver cannot be located may be towed away, incurring an approximate penalty of \$400.00 in towage and impounding fees.

Rangers will have a dedicated mobile telephone number and will be available from 7am till midnight on the day to address any concerns or complaints from residents, businesses and visitors.

CONSULTATION/ADVERTISING:

The Festival organisers have already undertaken an initial letter drop, which will be followed up with a second letter drop closer to the event. The organisers have attempted to engage local businesses and residents to ensure that adequate preparation is made to accommodate anomalies and potential problems. The Festival will be promoted through newspapers, electronic media, advertising posters, banners in approved locations, a dedicated website and by letter/pamphlet drops.

LEGAL/POLICY:

- City of Vincent Parking and Parking Facilities Local Law 2007.
- City of Vincent Parks, Reserves & Hall Facilities Conditions of Hire and Use Policy 2.1.7

The arrangements are in accordance with the City's standard procedures and Police and other Emergency Services have been notified. Road Closure approvals have been applied for.

RISK MANAGEMENT IMPLICATIONS:

Low: A formal Risk Management Plan has been compiled by the Festival organisers, in conjunction with a consultant, local WA Police and local businesses.

STRATEGIC IMPLICATIONS:

The use of Forest Park and the Beaufort Street Festival reinforces the City's *Strategic Community Plan 2013-2017* by enhancing and promoting community development and wellbeing.

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

A fee of \$10.00 per vehicle will be levied for vehicles using Forrest Park. The levy will be retained by the Highgate Primary School P&C.

Given experience from previous events of a similar nature, damage to the playing surface of Forrest Park is not expected.

Barlee Street Car Park will be unavailable between Friday, 14 and Sunday, 16 November 2014; the estimated loss of net income to the City in that period is approximately \$800.

Rangers will be rostered accordingly to manage the City's responsibilities and enforcement issues.

Council staff will clear, sweep and prepare the Barlee Street Car Park for re-opening to the public by Monday 17 November 2014.

COMMENTS:

A survey of local residents undertaken in July 2010 indicated general support for the use of Forrest Park as an overflow parking facility when major events are held in the City.

If the availability of Forrest Park is appropriately advertised prior to the Festival, it should result in a higher parking use of the Reserve, and lessen the impact on residents in the immediate locality.

9.4.3 Mount Hawthorn Hawker Market

Ward:	North	Date:	26 September 2014
Precinct:	Mt Hawthorn Centre (2)	File Ref:	SC1243
Attachments:	001 - Market Proposal from Local Arts and Community Events Inc.		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts and Creativity A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council;

1. **RECEIVES** the proposal from Local Arts and Community Events Inc. received 19 September 2014 to establish a regular Hawker Market at Axford Park;
2. **AUTHORISES** the Chief Executive Officer to advertise the intent for the Mount Hawthorn Hawker Market, as detailed in Attachment 001 for public comment for a period of twenty-one (21) days inviting written submissions from the public in accordance with the City's Policy No. 4.1.5 relating to Community Consultation;
3. **GRANTS** a temporary permit Local Arts and Community Events Inc. to hold the Mount Hawthorn Hawker Market on Friday 7 November 2014; and
4. **APPROVES BY AN ABSOLUTE MAJORITY** The waiving of park hire and waste management fees and charges in accordance with Policy No. 3.10.5 'Donations, Sponsorships and Waiving of Fees and Charges' in relation to the Mount Hawthorn Hawker Market, to be held on Friday 7 November 2014.

PURPOSE OF REPORT:

To obtain Council approval for the Local Arts and Community Events Inc. (LACE) to hold a regular hawker style market at Axford Park, as outlined in their proposal in Attachment 001, and provide the opportunity for public to comment for a period of twenty-one (21) days.

BACKGROUND:

The Mount Hawthorn Hawker Market is proposed to be delivered by Local Arts and Community Events Inc. (LACE), an incorporated not-for-profit organisation that exists to help bring communities together through its activities.

On Tuesday, 5 August 2014, a meeting with the Mayor and City's Officers was held where the LACE representatives discussed the potential loss of the Maylands Hawker Market, which was managed by LACE, due to possible Bayswater Council restrictions. Mount Hawthorn was suggested as an alternative location.

On Wednesday, 13 August 2014, the City's Officers met with LACE and Mount Hawthorn Hub representatives. Both groups were in favour of a regular hawker style market at Axford Park on Friday evenings from 5pm to 9pm.

DETAILS:

The Mount Hawthorn Hawker Market will provide fresh street style international food to the community with a mixture of food vans and marquee style food stalls. The market will include a stall available to Mount Hawthorn Hub to promote themselves amongst their community and potentially fundraise. Set up times for stallholders will be from 3pm and pack up will be completed by 10pm to comply with the *Environmental Protection Act Noise Regulations*.

The proposal is to use an under-utilised space for a weekly hawker market on a Friday evening from 5pm to 9pm. LACE proposes the market to commence on Friday 7 November 2014 and run through to 27 March 2015.

CONSULTATION/ADVERTISING:

Consultation will be undertaken in accordance with the City's Community Consultation Policy No. 4.1.5 – clause 7 relating to 'Non-Statutory and General Consultation' for a period of twenty-one (21) days.

LEGAL/POLICY:

- City of Vincent Local Government Property Local Law;
- Policy No. 2.1.7 '*Parks, Reserves and Hall Facilities – Conditions of Use and Hire*';
- Policy No. 3.8.3 '*Concerts and Events*';
- Policy No. 3.10.5 '*Donations, Sponsorship and Waiving of Fees and Charges*'; and
- Policy No. 4.1.5 '*Community Consultation*'.

RISK MANAGEMENT IMPLICATIONS:

Low: A full risk management plan will be submitted to the City by Local Arts and Community Events Inc. before the first market on 7 November 2014.

STRATEGIC IMPLICATIONS:

The City of Vincent's '*Plan for the Future Strategic Plan 2013 – 2017*', Objective 3 states:

"Community Development and Wellbeing

- 3.1: *Enhance and Promote Community Development and Wellbeing:*
 - 3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity;*
 - 3.1.3 *Promote health and wellbeing in the community;*
 - 3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life; and*
 - 3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community."*

SUSTAINABILITY IMPLICATIONS:

The proposed Mount Hawthorn Hawker Market aims to promote and encourage environmental, economic and social sustainability by providing an avenue for local business to sell fresh, local produce for the local community.

FINANCIAL/BUDGET IMPLICATIONS:

The hire of Axford Reserve is \$230 for the hours from 3.00pm to 10.00pm. Waste management fees would also be charged at \$50 per pair of bins (one general and one recycling), where six (6) sets would be required. The bond for the park is up to \$2,000.

It is requested that these fees and charges be waived in accordance with Policy No. 3.10.5 '*Donations, Sponsorships and Waiving of Fees and Charges*'.

COMMENTS:

Local Arts and Community Events Inc. successfully delivered the Maylands Hawker Markets in the City of Bayswater since January 2014. When this came under threat of cancellation, the community rallied to overturn this decision, which displayed the community's need and enjoyment of these markets. Whilst the area in Mount Hawthorn is smaller, it will encourage people to come out of their homes and engage with their community in a relaxed setting.

At the Mount Hawthorn Hub community engagement session held on Wednesday, 10 September 2014 with local business owners and residents, the City's Officers asked the group what they would like to see more of in Mount Hawthorn. More than two (2) of the groups wrote down "a hawker style market", "more street food" and "more diversity". The proposed Mount Hawthorn Hawker Market will be an important event to further develop Mount Hawthorn into a thriving community, with more affordable family friendly and community building activities.

9.4.4 Angove Street Festival – Use of View Street Car Park

Ward:	North	Date:	26 September 2014
Precinct:	North Perth Centre (9)	File Ref:	SC389
Attachments:	001 - Angove Street Festival Event Plan 002 - Angove Street Festival Event Map		
Tabled Items:	Nil		
Reporting Officer:	Y Coyne, Coordinator Arts and Creativity A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council **APPROVES** the closure of the View Street Car Park, North Perth as shown in Attachment 002, from 8pm Saturday 25 October to 6pm Sunday 26 October, for use as part of the Angove Street Festival – on Sunday 26 October 2014.

PURPOSE OF REPORT:

The purpose of this report is for Council to consider closure and exclusive use of View Street Car Park, as part of the Angove Street Festival on 26 October 2014.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 April 2014 (Item 9.4.6), the following was resolved;

- "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
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

	ORGANISATION	EVENT	DATE	AMOUNT SOUGHT	AMOUNT RECOMMENDED
1 2	<i>Pride Western Australia</i>	<i>Pride Sponsorship 2014/2015</i>	<i>Various</i>	<i>\$30,000</i>	<i>\$15,000</i>
1 3	<i>HMS Pop Up Productions</i>	<i>Fete de la Femme</i>	<i>7 Mar</i>	<i>\$30,000</i>	<i>\$0</i>
1 4	<i>St Patrick's Day WA Inc.</i>	<i>St Patrick's Day Parade and Family Fun Day</i>	<i>15 Mar</i>	<i>\$25,000</i>	<i>\$25,000</i>
1 5	<i>Mt Hawthorn Hub</i>	<i>Up Late in Mount Hawthorn</i>	<i>Various</i>	<i>\$40,000</i>	<i>\$40,000</i>
1 6	<i>Perth International Jazz Festival Inc.</i>	<i>Perth International Jazz Festival</i>	<i>8-10 May 2015</i>	<i>\$20,000</i>	<i>\$0</i>
1 7	<i>City of Vincent Stalls and Floats</i>	<i>St Patrick's Day, Pride and stalls at events</i>	<i>Various</i>	<i>\$10,000</i>	<i>\$10,000</i>
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:

The Angove Street Festival is organised by the newly formed precinct group The North Perth Business and Community Association Inc, trading as North Perth Local. North Perth Local is working with Soapbox PR to coordinate and host the Angove Street Festival 2014 and has sought Council's support to extend the event area slightly to include the View Street Car Park.

The Angove Street Festival will run from 10am to 5pm on Sunday 26 October 2014. The activities planned for the View Street Car Park area will include market stalls, but will also act as a thoroughfare for patrons to connect with other businesses on nearby Fitzgerald Street.

In previous years, Fitzgerald Street businesses have felt disconnected from the Angove Street Festival and opening this car park not only will provide more attractions for the festival, but provide a link to the "Upper Fitzgerald Zone" which will include special festival events by local businesses Stones Pizza, Dolcetta and Basics and Beyond.

View Street Car Park has forty one (41) bays which operate on a three (3) hour restriction with a free valid ticket. No fees apply.

Nearby car parks include Wasley Street Car Park which has forty two (42) bays, Pansy Street Car Park which has twenty eight (28) bays. North Perth Plaza Shopping Centre car park is also nearby, but this is a private car park reserved for shoppers.

A copy of the Event Management Plan for the festival is included for information as Attachment 001.

CONSULTATION/ADVERTISING:

A letter box drop will be undertaken for the streets adjoining Angove Street notifying residents and business of the festival.

Signage in the car park will be hung at the Festival's expense to alert people of the car park closure. Rangers will hood parking signs the night before to change to "no parking".

LEGAL/POLICY:

- Policy No. 1.1.5 – Donations, Sponsorship and Waiving of Fees and Charges; and
- Policy No. 3.8.3 – Concerts and Events.

RISK MANAGEMENT IMPLICATIONS:

Low: A formal Risk Management Plan has been compiled by the event organisers. View Street Car Park was originally an emergency evacuation exit; however this will be revised upon Council's decision.

STRATEGIC IMPLICATIONS:

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

"Community Development and Wellbeing

3.1: *Enhance and Promote Community Development and Wellbeing:*

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

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

SUSTAINABILITY IMPLICATIONS:

Administration will work with event organisers to ensure the City's sustainability and environmental initiatives are promoted at the event. Given that parking around Angove Street is extremely limited, a strong travel smart message will also be promoted prior to the event.

FINANCIAL/BUDGET IMPLICATIONS:

The requested closure of the View Street Car Park to form part of the Angove Street Festival will have little to no financial implications for the City. View Street Car Park has forty one (41) bays operated with a three (3) hour restriction, at no cost with display of a free valid ticket.

COMMENTS:

Angove Street Festival is a vibrant community-based festival that is growing in popularity and size. This festival focuses on the local North Perth area with all businesses along Angove Street heavily involved, together with North Perth Primary School. By providing this additional space for the Festival, it will create an improved link to businesses on Fitzgerald Street, particularly those in the "Upper Fitzgerald Zone" of the event map, which have previously missed out on directly being involved due to the previous festival layout.

9.4.5 No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 6

Ward:	South	Date:	26 September 2014
Precinct:	EPRA (16)	File Ref:	PR52300 (PRO5055), SC1550,
Attachments:	001 – NNA Community Centre Development Project Status Report (31 May - 4 August)		
Tabled Items:	Nil		
Reporting Officer:	G Pieraccini, Director Special Projects		
Responsible Officer(s):	G Pieraccini, Director Special Projects J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council;

1. **RECEIVES** Progress Report No. 6 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **DEFERS** the refurbishment works at No. 34 (Lot 1) Cheriton Street, Perth to the 2015/16 financial year;
3. **BY ABSOLUTE MAJORITY LISTS** for consideration in the 2015/2016 Draft Budget amounts of \$653,000 (comprising municipal funding of \$381,553, subject to the balance of funds being provided from sources other than the City of Vincent) for the refurbishment of No. 34 (Lot 1) Cheriton Street, Perth and \$30,000 for on-going operational costs;
4. **DOES NOT ACCEPT** any tender received in response to Tender No. 489/14 Refurbishment of No. 34 Cheriton Street, Perth;
5. **AUTHORISES THE CHIEF EXECUTIVE OFFICER** to:
 - 5.1 write to LotteryWest requesting the deferment of funding to the next financial year;
 - 5.2 write to the Minister for Regional Development and Lands to request an extension of the timeframe to complete the refurbishment and activation of the community facility within the next financial year; and
 - 5.3 formally advise the NNA and CIT of the deferment of the refurbishment works to the next financial year; and
6. **NOTES** that a further progress report will be presented to Council once responses have been received from LotteryWest and the Minister for Regional Development and Lands.

PURPOSE OF REPORT:

The purpose of this report is to provide an update on the status of the Cheriton Street project.

BACKGROUND:

Previous progress reports have been presented to Council in relation to No. 34 (Lot 1) Cheriton Street, Perth; as follows:

27 July 2010 (Item 9.1.7):

Council at its Ordinary Meeting resolved to commence including land ceded from various Local Government authorities to the then Town (part of the boundary changes in July 2007), into the City's Town Planning Scheme No. 1, with reporting to the Council on the commencement process in September 2010.

28 July 2010:

The City received a letter from Gray & Lewis Land Use and Planners, seeking Council's support for the land to be considered to be rezoned from 'Region Reserve for Public Purposes (Special Use)' to 'Urban', with the intention largely to provide greater development options for the site.

10 August 2010 (Item 9.1.8):

A report was presented to the Ordinary Meeting of Council to provide information on the Applicant's request to the Western Australian Planning Commission (WAPC) regarding a proposed MRS Amendment relating to the rezoning of the subject land (road widening and Lot 1 Cheriton Street, Perth), from 'Region Reserve for Public Purposes' (Special Uses) to 'Urban'.

Council also requested that the Chief Executive Officer approach the relevant Minister(s) and local Member of Parliament seeking transfer of the land, free of cost to the City as a Crown Grant (or equivalent), rather than freehold.

20 August 2010:

The City wrote to the Minister for Transport, Minister for Planning and the Shadow Minister for Culture and the Arts as directed at the Ordinary Meeting of Council on 10 August 2010.

27 August 2010:

Response received from the Department of Regional Development and Lands stating that they would not support the transfer of land at no cost, but were prepared to make a direct offer of transfer in freehold to the City at market value as determined by Landgate's Valuation Services Branch.

2 September 2010:

The City responded to the Department of Regional Development and Lands, declining their offer to organise a valuation for the property as the City was not interested in purchasing the property at market value.

30 September 2010:

Western Australian Planning Commission response letter to the applicants of the MRS Amendment regarding the status of the land.

11 October 2010:

Response letter from the Minister for Transport advising that the Public Transport Authority (PTA) was unable to transfer the land free of charge as Government Policy requires the disposal of assets at market value, and funds from such a sale generally applied to the reduction of debt or the acquisition of infrastructure in line with the objectives of the PTA.

27 October 2010:

Response letter from the Western Australian Planning Commission declaring their intention to sell the property on the open market and that there was an interested party wishing to refurbish the property for commercial use (offices). The City's support was also sought to consider all applications in line with the adopted EPRA Scheme No. 1 as a guide for proposed uses until the City has reviewed its Town Planning Scheme.

21 April 2011:

Correspondence received from Norwood Neighbourhood Association requesting further information from the City on the various heritage reports and assessments that have been compiled regarding the property.

May 2011:

The Norwood Neighbourhood Association requested Council Members and City Officers, through a number of direct conversations, to revisit the use of the property as a community facility after receiving information that the State Government had discontinued their sale process for the property.

2 June 2011:

The City wrote to Michael Sutherland, MLA, seeking support for the property to be leased to the City at a 'peppercorn lease' in return for the property being refurbished for community use.

13 June 2011:

Michael Sutherland, MLA wrote to the Minister for Lands advising that he had met with a number of local residents, as well as the City's Chief Executive Officer, Mayor and two Council Members, to discuss the possible use of the property as a community facility. The Member for Mount Lawley supported the proposition that the City undertake an upgrade of the property for community use given the change of demographics in the immediate vicinity.

10 November 2011:

Correspondence received from the Department of Regional Development and Lands requesting information from the City on its financial capacity to refurbish the building within a two (2) year period for a community facility.

6 December 2011:

Authority was given to advise the Department of Regional Development and Lands of the City's preliminary interest in refurbishing the property at No. 34 (Lot 1) Cheriton Street, Perth for the purpose of establishing a community facility. The need to explore community needs, and service gaps within the community was requested along with investigating partnership pathways with Central TAFE.

27 March 2012 (Item 9.4.2):

Council approved the acceptance of a Management Order from the Department of Regional Development and Lands for No. 34 (Lot 1) Cheriton Street, Perth with a condition attached that the property (building) on Lot 1 is to be refurbished and in use for community purposes within two (2) years of issue of the Management Order. Council listed an amount of \$300,000 in the Draft 2012/2013 Budget to undertake refurbishment of the property and building.

11 June 2012:

The Cheriton Street Property Advisory Group (CSPAG) convened its first meeting to work through the opportunities and possibilities for uses of the property. Council endorsed the course of action taken for the group to determine possible future use and partnership collaborations with relevant agencies.

1 November 2012:

The CSPAG agrees for a Memorandum of Understanding to be entered between Central Institute of Technology (CIT) and City of Vincent to proceed as a Working Partnership Agreement for the Cheriton Street Project. Collaboration between the City and CIT with the inclusion of Aboriginal students using the 'Live Works Projects' as part of their course, and with the provision that the City provides the materials and CIT would provide the labour.

18 December 2012 (Item 9.4.8):

Council authorised the Chief Executive Officer to enter into negotiations with the CIT to progress a partnership for the purpose of assisting with the refurbishment of the property whilst engaging students in a "Live Works" program, and, to engage professional trades to carry out immediate remedial work required to make the site safe.

Council also approved the Community Garden and Cheriton Outdoor Micro Cinema proposals submitted by the Norwood Neighbourhood Association (NNA) for a trial period of six (6) months.

28 May 2013 (Item 9.4.3):

Council authorised the Chief Executive Officer to progress the partnership with the CIT by entering into a MOU outlining roles and responsibilities and scope of works to be undertaken by students.

Council also approved, in principle, the management of the facility by the NNA once the refurbishment was complete, subject to negotiating a Lease Agreement to the satisfaction of the City's Chief Executive Officer.

At this time Council was advised the City would be applying for a Capital Funds Grant, for the refurbishment, as well as an Organisational Development Grant, for the management of the facility, from LotteryWest.

11 June 2013 (Item 9.4.3):

Council authorised the Chief Executive Officer to write to the Minister of Regional Development and Lands to request to vary the Management Order to include the power to lease and, to progress the refurbishment, management and operation of the building for the intended community use.

At the ordinary meeting of Council held on 13 May 2014 (Item 9.4.1), the following recommendation was adopted;

"That the Council;

1. *RECEIVES Progress Report No. 5 relating to No. 34 (Lot 1) Cheriton Street, Perth;*
2. *LISTS for consideration in the 2014/15 Draft Budget \$621,447 for the refurbishment and \$20,000 for on-going operational costs;*
3. *AUTHORISES the Acting Chief Executive Officer, to prepare a Request for Tender for the Refurbishment (building works) of 34 Cheriton Street, Perth; and*
4. *NOTES that a further progress report will be provided in July 2014."*

DETAILS:

Request for Tender:

On 5 July 2014, after the endorsement on 1 July 2014 of the 2014/2015 Draft Budget, Tender No. 489/14 was advertised calling for tenders for the Refurbishment of 34 Cheriton Street, Perth.

The tender closed at 2pm on 5 August 2014. Present at the opening of the tenders were the Finance Officer – Purchasing and the Director Special Projects. Submissions were received from five (5) companies and the tender assessment was carried out by an assessment panel of Council Officers comprising Director Special Projects, Acting Director Community Services, Acting Director Financial Services and the Property Officer. Each tender was evaluated in accordance with the tender documentation using Evaluation Criteria and Weighting as outlined in the tender request and a report with a recommendation was drafted for Council.

Due to changes to the City's 2014/15 budget, resulting from a transposing error, Council at its Special Meeting held on 3 September 2014 elected to defer the completion of this project to the next financial year. As such, no tender will be accepted and it is proposed that the refurbishment works will be re-tendered after endorsement of the 2015/2016 Budget.

NNA and Management of Community Facility:

The NNA has engaged Jennifer Chaplyn of 'Same Page Organisational Development Consultancy' to assist with governance training and the development of a business plan for the operation and management of the facility. This has been funded through a LotteryWest Organisational Development Grant.

Regular status reports will be provided by NNA in conjunction with the consultants to inform the City of their progress. The project team consists of the NNA Chairperson, Simon Thackrah, Vice Chairperson, Deborah Karajas and Jennifer Chaplyn, Consultant. A project timeline has also been included in the attached report. Refer Appendix 001 - NNA Community Centre Development Project Status Report for period 31 May – 4 August.

Potential stakeholders have been identified and meetings have been initiated with the aim of informing the project development and providing a foundation for future relationships and a network of support for the new facility. A visioning workshop was scheduled for the end of August which also assisted with the development of the community centre service model.

The City received advice dated 24 March 2014 from the Director General, Department of Lands on behalf of the Minister, confirming approval to amend the conditions of the Management Order, including the power to lease, which would allow the City to enter into a lease with the NNA to operate and manage the property.

LotteryWest Funding:

The LotteryWest Capital Fund/ Building Grant Agreement was signed in May 2014. The total funding amount is \$271,447, comprised \$198,000 for building works and \$73,447 for furniture, equipment and fittings. The term of the agreement is ten (10) years.

Cheriton Street Live Works Refurbishment Agreement - CIT and City of Vincent:

An agreement between the CIT and the City of Vincent was signed in May 2014 allowing for student 'Live Works' activities to take place before and during the proposed contracted building works took place. Timber doors, architraves etc. have been salvaged from the house and off site woodwork activities have already been undertaken.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Relevant due diligence will be conducted to ensure the viability of the project and protecting the City's financial interest in relation to providing funds towards capital improvements of the property.

RISK MANAGEMENT IMPLICATIONS:

Low: Upon careful assessment of the risk management matrix and consideration of this project, it has been determined that this project is low risk.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2013-2017*, Objective 3 states:

"Community Development and Wellbeing

3.1 *Enhance and promote Community Development and Wellbeing:*

3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community*

(a) *Build the capacity of individuals and groups within the community to initiate and manage programs and activities that benefit the broader community, such as the establishment of "men's sheds", community gardens, toy libraries and the like."*

SUSTAINABILITY IMPLICATIONS:

The potential of the premises for community use supports general principles of sustainability. Proposed "Live Works" activities to be undertaken by CIT students will incorporate the assessment of materials and construction techniques to promote sustainability elements for the project where possible.

FINANCIAL/BUDGET IMPLICATIONS:

The original adopted 2014/15 budget identified a total allocation for this project of \$621,450, comprising municipal funding of \$350,000, with the balance being provided by LotteryWest. As Council has resolved to defer this project as part of the City's budget savings plan, Administration has increased the proposed allocation for this project in the 2015/16 financial year, to account for CPI increases. The proposed revised project allocation for 2015/16 is set out below:

Refurbishment Budget:

<u>2013/2014 Project Estimate</u>	
Build/Refurbishment Estimate	\$548,000
Furniture, Equipment & Fittings Estimate	<u>\$ 73,447</u>
Total Refurbishment Budget Estimate (2013/2014)	\$621,447
<u>2015/2016 Project Estimate</u>	<u>\$653,000</u>
Total Allocation for consideration in 2015/2016 Draft Budget	<u>\$653,000</u>

Funding Contributions:

<u>Build/Refurbishment</u>	
LotteryWest contribution	\$198,000
Municipal contribution	\$381,553
<u>Furniture, Equipment & Fittings</u>	
LotteryWest contribution	\$ 73,447
Total Allocation for consideration in 2015/2016 Draft Budget	<u>\$653,000</u>

COMMENTS:

Due to the unforeseen necessity for the City to reassess its 2014/2015 Budget and the resultant financial constraints, this project has been deferred for completion in the next financial year. As such, a budget allocation will need to be considered for this project in the 2015/2016 Draft Budget and the refurbishment works subsequently re-tendered.

9.5 CHIEF EXECUTIVE OFFICER

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	26 September 2014
Precinct:	-	File Ref:	SC406
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	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 September 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
10/09/2014	Lease	3	City of Vincent and YMCA of Perth Incorporated of 201 Star Street, Carlisle, WA 6101 re: Use of a Portion of 62 Frame Court, Leederville - <i>As per Council approval of the Ordinary Meeting of Council held on 13 May 2014 (Item 9.3.3)</i>
10/09/2014	Withdrawal of Caveat	2	City of Vincent and HWL Ebsworth Lawyers of Level 11, 167 St Georges Terrace, Perth 6000 re: No. 261 (Lots 1 & 2) Charles Street (cnr Bourke Street), North Perth - Construction of Four (4) Storey Multiple Dwelling comprising of Sixteen (16) One Bedroom Multiple Dwellings, Thirty-Four (34) Two Bedroom Multiple Dwellings and Associated Basement Car Parking - <i>To satisfy Clause 6.1 of conditional planning approval issued by the Development Assessment Panel (DAP) on 21 February 2014</i>
10/09/2014	Deed of Consent to Mortgage	3	City of Vincent and Suncluster Pty Ltd of Unit 1, 10 Achievement Way, Wangara and Hawkesbridge Property Holdings Pty Ltd as trustee for North Peth Unit Trust of c/o Hawkesbridge Capital Pty Ltd, Level 14, 23-25 Hunter Street, Sydney NSW re: No. 261 (Lots 1 & 2) Charles Street (cnr Bourke Street), North Perth - Construction of Four (4) Storey Multiple Dwelling comprising of Sixteen (16) One Bedroom Multiple Dwellings, Thirty-Four (34) Two Bedroom Multiple Dwellings and Associated Basement Car Parking - <i>To satisfy Clause 6.1 of conditional planning approval issued by the Development Assessment Panel (DAP) on 21 February 2014</i>

Date	Document	No of copies	Details
11/09/2014	Deed of Consent to Mortgage	3	City of Vincent and Suncluster Pty Ltd of Unit 1, 10 Achievement Way, Wangara and Commonwealth Bank of Australia of Level 14C, 300 Murray Street, Perth re: No. 261 (Lots 1 & 2) Charles Street (cnr Bourke Street), North Perth - Construction of Four (4) Storey Multiple Dwelling comprising of Sixteen (16) One Bedroom Multiple Dwellings, Thirty-Four (34) Two Bedroom Multiple Dwellings and Associated Basement Car Parking
11/09/2014	Notification under Section 70A	1	City of Vincent and Goodstar Holdings Pty Ltd of 11/50 Oxford Close, West Leederville re: No. 211 (Lot 200) Beaufort Street, Perth - <i>To satisfy Clause 1.7.2 of conditional planning approval issued by the Development Assessment Panel (DAP) on 28 November 2013</i>
12/09/2014	Application	1	City of Vincent and ACROD Parking Program of PO Box 1428, Osborne Park DC WA 6916 re: ACROD Permit 2015 Renewal for the City of Vincent Community Bus
16/09/2014	Withdrawal of Caveat	1	City of Vincent and HWL Ebsworth Lawyers, Level 11, 167 St Georges Terrace, Perth WA 6000 re: Nos. 602-610 (Lots 89, 404 and 405) Beaufort Street, Mount Lawley - Proposed Construction of Six Storey Mixed Use Development comprising of Thirty Four (34) Multiple Dwellings, including Ten (1) Single Bedroom Multiple Dwellings, Twenty-Two (22) Two-Bedroom Multiple Dwellings, Two (2) Three-Bedroom Multiple Dwellings, Four (4) Shops and Basement Car Parking - <i>To satisfy Clause 5.2 of conditional planning approval issued by the Development Assessment Panel (DAP) on 11 June 2014</i>
16/09/2014	Deed of Covenant (where Lots to be Amalgamated)	3	City of Vincent and Demol Investments Pty Ltd of Level 3, 11/50 Oxford Close, West Leederville re: Nos. 602-610 (Lots 89, 404 and 405) Beaufort Street, Mount Lawley - Proposed Construction of Six Storey Mixed Use Development comprising of Thirty Four (34) Multiple Dwellings, including Ten (1) Single Bedroom Multiple Dwellings, Twenty-Two (22) Two-Bedroom Multiple Dwellings, Two (2) Three-Bedroom Multiple Dwellings, Four (4) Shops and Basement Car Parking - <i>To satisfy Clause 5.2 of conditional planning approval issued by the Development Assessment Panel (DAP) on 11 June 2014</i>

9.5.2 Information Bulletin

Ward:	-	Date:	26 September 2014
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	J Lennox-Bradley, Acting Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 26 September 2014, as distributed with the Agenda.

DETAILS:

The items included in the Information Bulletin dated 26 September 2014 are as follows:

ITEM	DESCRIPTION
IB01	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 3 September 2014
IB02	Register of Petitions – Progress Report – October 2014
IB03	Register of Notices of Motion – Progress Report – October 2014
IB04	Register of Reports to be Actioned – Progress Report – October 2014
IB05	Register of Legal Action (Confidential – Council Members Only) - Monthly Report as at 25 September 2014
IB06	Register of Orders and Notices Issued Under the Building Act 2011 and Health Act 1911 (Confidential – Council Members Only) - Quarterly Report (25 September 2014)
IB07	Register of State Administrative Tribunal (SAT) Appeals – Progress Report – as at 25 September 2014
IB08	Register of Applications Referred to the Design Advisory Committee – September 2014
IB09	Register of Applications Referred to the MetroWest Development Assessment Panel – Current
IB10	Forum Notes – 16 September 2014

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

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

14.1 CONFIDENTIAL ITEM: Nos. 7/565-567 (Lot: 7 STR: 21608) Beaufort Street, Mount Lawley – Proposed Change of Use From Office to Recreational Facility and Office - Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 for the Review of Condition 4 (DR 251 of 2014)

Ward:	South	Date:	26 September 2014
Precinct:	Mount Lawley, P11	File Ref:	PRO3753; 5.2014.4.1
Attachments:	Confidential – Property Information Report Confidential – Development Application Plans Confidential – Applicant justification		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council;

- 1. Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential report, circulated separately to Council Members, relating to a Proposed Change of Use From Office to Recreational Facility and Office - Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 for the review of condition 4 (DR 251 of 2014) at No.7/565-567 (Lot:7 STR: 21608) Beaufort Street, Mount Lawley - as this matter relates to legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and**
- 2. AUTHORISES the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.**

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

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, the Council may wish to make some details available to the public.

14.2 CONFIDENTIAL ITEM: - No. 393 (Lot 2: D/P 1283) Bulwer Street, Corner Gallop Street, West Perth – Proposed Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 209 of 2014)

Ward:	South	Date:	26 September 2014
Precinct:	Hyde Park, P12	File Ref:	PRO6191; 5.2014.108.1
Attachments:	Confidential – Property Information Report Confidential – Amended Development Application Plans Confidential – Previous Design Advisory Committee Comments dated 16 October 2013 Confidential – Details of Car and Bicycle Parking		
Tabled Items:	Nil		
Responsible Officer:	Steve Allering – Allering & Associates (Engaged Consultant)		

OFFICER RECOMMENDATION:

That Council;

1. Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential report, circulated separately to Council Members, relating to the proposed Demolition of an Existing Dwelling and Construction of a Two (2) Storey Multiple Dwelling development comprising four (4) Multiple Dwellings and associated Car Parking at No. 393 (Lot 2; D/P 1283) Bulwer Street, Corner Gallop Street, West Perth - Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 209 of 2014), as this matter relates to legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
2. **AUTHORISES** the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

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, the Council may wish to make some details available to the public.

14.3 CONFIDENTIAL ITEM: No. 277 (Lot: 19 D/P: 1561) Vincent Street, Leederville – Proposed Multiple Dwelling Development – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 142 of 2014) (PRO3238; 5.2013.553.1)

Ward:	South	Date:	26 September 2014
Precinct:	Oxford Centre, P4	File Ref:	PRO3238; 5.2013.553.1
Attachments:	Confidential – Property Information Report Confidential – Development Application Plans Confidential – Applicant letter dated 6 September 2014		
Tabled Items:	Nil		
Reporting Officer:	R Rasiah- Coordinator Statutory Planning		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council;

1. Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential report, circulated separately to Council Members, relating to the Proposed Demolition of an Existing Building and construction of a four (4) Storey Multiple Dwelling comprising ten (10) Multiple Dwellings with associated Car Parking – Reconsideration under s31 of the State Administrative Tribunal (SAT) Act 2004 (DR 142 of 2014) at No. 277 (Lot: 19 D/P: 1561) Vincent Street, Leederville, as this matter relates to legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
2. **AUTHORISES** the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

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, the Council may wish to make some details available to the public.

15. CLOSURE