



**CITY OF VINCENT**

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**8 JULY 2014**

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Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 8 July 2014, commencing at 6.00pm.

**1. (a) DECLARATION OF OPENING**

The Presiding Member, Deputy Mayor Roslyn Harley, declared the meeting open at 6.03pm and read the following Acknowledgement of Country Statement:

**(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**

**(a) Apologies:**

2.1 Mayor John Carey on leave of absence till Thursday 10 July 2014 due to personal reasons.

**(b) Members on Approved Leave of Absence:**

2.1 Cr Wilcox on approved leave of absence from Thursday 1 May 2014 to Thursday 31 July 2014 (inclusive), due to personal commitments.

2.2 Director Community Services, Mr Rob Boardman on approved sick leave.

**(c) Present:**

Deputy Mayor Roslyn Harley                      Presiding Member

Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward

Mike Rootsey	Acting Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
Jacinta Anthony	Acting Director Community Services
Gabrielle Pieraccini	Director Special Projects

Jerilee Highfield                                      Executive Assistant (Minutes Secretary)

Employee of the Month Recipient

Nil.

Media

Sara Fitzpatrick	Journalist – "The Guardian Express"
David Bell	Journalist – "The Perth Voice"

Approximately 12 Members of the Public

**3. (a) PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS**

The following submissions were made by persons in the Public Gallery:

1. Vince Dizzidomino of 23 Florien Street, West Perth stated the following:
  - I have been the owner for twenty (20) years or so. I have put in a development application dated the 16 May 2014 to the City of Vincent and they have come back to me saying that it does not comply with the City's Policies and R Codes because there is a tree on the verge which cannot be removed. That is the plan that APG homes have designed, minus a tree on the verge.
  - Now the tree is very small tree it is not a very large mature tree and what I am asking for is a compromise that I be allowed to remove the tree and move it maybe to the left. The Council Officer has come back and approved the plan to setback have a 500 mm setback from the existing verge tree of the driveway. I spoke to Anne Munyard from your office she stated that it had all been resolved so instead of having that 500 mm setback off the driveway for the verge. I was just wondering if there is a compromise, if I could move the tree and replant it a bit further along.
2. Gareth Glanville of Planning Solutions, 12 Sanderson Street, Embleton – Item 9.1.4 stated the following:
  - I would like to first welcome the Officer's Recommendation for approval and I would also like to clear up some misunderstandings that may have come about as amended plans have been provided in black and white as per the attachment.
  - There is a strip of landscaping adjacent to visitor bay 1, which is landscaping and not a solid wall. The wall to the street is visually permeable and allows for surveillance of the street and activation of Oxford Street.
  - I would also like to point out that provision of landscaping in the form of additional trees and some of ten (10) trees has been proposed. As well as close to twenty four (24) percent of the total site area being allocated to landscaping.
  - Also as per the amended plans the plot ratio is now fully compliant, with the R codes.
3. Jeremy Hoffland of Roe Group, Level 3, 369 Newcastle Street, Northbridge – Item 9.1.2 stated the following:
  - In terms of the application it is a request for modification to approval conditions, the approval itself was granted by Council as it 11 June 2013 meeting and the development is not proposed to be altered at all compared to what has been approved. It is a six (6) storey mixed use development which incorporates single bedroom and other multiple dwelling units, a shop, four (4) offices and associated car parking.
  - Since obtaining the approval the project team have worked extensively to prepare the package of information for a building permit and in terms of addressing conditions of approval there were a number of matters identified with respect to the conditions on environmental sustainability, effectively for those measures to be met as per the condition of approval.
  - We have extensive discussions with City Officers from Sustainability section and also with the Directors of Planning and Building Departments. It was agreed that an amended request for the conditions to be altered be supported by a study by a suitably qualified consultant to demonstrate the green credentials of the project, that has been completed and those details are in the report. The report that was prepared by the Consultant has been used a basis to formulate the amended conditions of approval as described in the recommendation and we are very happy with those as the project team. We considered that they will achieve a minimum ten (10) percent improvement in terms of efficiency also up to 80% waste will be recycled during the construction process and significant savings in terms of water usage.

4. T Palioudakis of 327 Oxford Street, Leederville – Item 9.2.3 stated the following:
  - I wish to place my objection to the proposed bike network plan on Oxford Street, I have taken time to ask all the residents and business owners within the precinct on the Bike Plan Network which have converted into a petition that has seventy five (75) signatures on it.
  - That is seventy five (75) people who don't want this proposal to go through. I have been living on Oxford Street my whole life and I obviously don't see the need for this so called for this so called Bike Plan that is predominantly benefiting the bike riders who don't live in the precinct and will add to congestion which already exists on our street during peak hours.
  - This Bike Plan Network is supported by inconsiderate people, this is not for the residents of Oxford Street want. This would not be the best interest for cyclists safety. I would like to see how you can justify this proposal, which will serve the small amount of people who only use Oxford Street for a social gathering and to sit at Greens and Co for a cup of coffee. Do they deserve a dedicated Bike Lane as opposed to all the residents, who pay the land rates and will result in the proposal will be losing their carbays and the trees beside their homes.
  - If this 1.7 Bike Lane is put in place we won't have anymore verge to place our bins, we shouldn't suffer and I speak for all the residents in Oxford Street who are scared to open their mouths due to the power that the City of Vincent has. This is not an opinion, this is an objection to us residents and if the Bike Lane goes ahead and a death occurs when somebody reverses out of their driveway on a busy street and hits an oncoming cyclist. The blood will be on their hands.
  - I am not hoping for such tragedy but I am being a realist, why not stick to the dedicated Bike Path on Mitchell Freeway and Shakespeare Street which is already implemented and used.
5. Ian Hail of 21 Simpson Street, West Perth – Item 9.1.3 stated the following:
  - A little bit of the detail about who we are and what we are trying to achieve on the change of use.
  - All three (3) directors have been involved in the film industry for twenty (20) years, myself and state manager of Paramount pictures and the other two (2) directors overseeing all the marketing for road show films. We are state of the art corporate presentation facility with a fifty (50) seat auditorium, with a small bar lounge area for entertaining clients and staff guests. The venue is only for hire and the only way the facility can be used is through a structured booking process which gives you access to the whole facility for an agreed period. Patrons cannot walk in of the street to use the facility or buy tickets as we are not a commercial cinema.
  - Our core business will be corporate, screenings and presentations with video conferencing facilities also social club screens and also for the film industry rates which will apply to all representatives of the film industry including film distributors and studios and also most importantly local film makers and also national film makers.
6. Tim Bloomfield of Bloomfield Design – Item 9.1.1 stated the following:
  - I am representing the developers for this project. We have requested a change to the apartment mix and the reason for that is since they started the development the market has changed significantly and they have sold all the one bedroom apartments, but they have been unable to sell the two storey two bedroom apartments.
  - The proposal is to change two of these on the front and two of them at the rear into two single bedroom apartments on the lower level and the two bedrooms on the upper level. We have been able to achieve this change and make the project more viable, by just changing the planning internally and minimal changes to the facade.

- In our develop design we have been able to achieve a minimum of 6 star rating and an average of 7 star rating by using double glazing on the windows, there is no change to the parking requirement, as it is a simple exchange from two bedroom to one bedroom. I believe that the project still maintain the spirit of the original design and intent.
7. Dudley Maier of 51 Chatsworth Road, Highgate – Item 9.2.1 stated the following:
- I have some questions which I have been building up for some time, I will not read them all out, I don't want to waste your time but it is about the Old Planet Video site on Beaufort Street, another site on Beaufort Street, the Wade Street Reserve naming alternate use of on road car bays policy and things like that.
  - I will also mention Item 9.2.1, the Greening Plan I don't want it to be brought forward. I would just like to make a comment, it is good to see that we are getting a Greening Plan. It is important that the document is followed through, it has got great statements about increasing biodiversity and using sensible plants and waterwise gardens etc.
  - Recently in the last week I have seen the website and I think in the agenda reference to Tipuana's which are called the pride of Bolivia, Bradford Pears, Cut leaf plans and Jacaranda's they are all deciduous trees, that tend to go dormant this time of year when we get water. But tend to grow in summer when you do need water they are wrong tree but yet Council staff are still planting those trees. I think move forward and lets try and be true to our plan.
8. Debbie Saunders of 150 Oxford Street, Leederville – Item 9.2.3 stated the following:
- I just have question about the Bike Plan, I see in the Agenda tonight that the Bike Plan Scarborough Beach Road and Oxford Street has been separated, is that because you are taking into consideration the considerable objection to the Oxford Street Bike Plan?
  - The Beaufort Street Artwork, I have been questioning Council about this for some time and the answers I have got back is that it will be made public when its finalised, the most recent answer from Mr Rootsey is that a Deed of Settlement has been entered into of where it is Confidential yet in the expenditure report it states \$16,500 dollars was paid out to Bremick, I am wondering why if it is under a Confidentiality Deed of Settlement is the amount disclosed by the expenditure?
  - Also on the Local Government Reform there was a question I had put on Notice last meeting I don't quite understand the excuse of Legal Advice being the reason that it is going behind closed doors, if you could clarify that.

*The Presiding Member Deputy Mayor Roslyn Harley advised Ms Saunders that her questions will be taken on Notice. I understand you have been provided with the answers to your questions and we are going to be getting to the Bike Plan during the Agenda, so if you are able to stay for that you will be able to hear the Debate at that time.*

- Just the one on Bremick, I have been asking questions now for months and getting really nowhere. I would just like maybe the CEO to answer the question, if it is a confidential Deed of Settlement, why is the amount in the expenditure report for the public to see?

*The Presiding Member stated Ms Saunders, I understand that the A/CEO has provided you with the response that we are able to give you in regards to your question. Generally just so you know all of our accounts are open in that way for our payments. So we wont have any further discussion on that now, but if you have got any further questions please feel free to write to the A/CEO and he will keep responding to your questions.*

9. Garry Shier of 7 Seabrook Street, Mount Hawthorn – Item 9.2.3 stated the following:
- I just want to put some context in my comments here. I am a cyclist been riding for over twenty five (25) years on Perth Metropolitan roads, I have held a WA Racing licence participating in races mainly criteriums. I ride through about thirty (30) different suburbs each week. I cover 1000 of kms a year, far to say I am a keen cyclist and considered myself to be very experienced and along the way I have collected some bike smarts.
  - The Bike Plan was promoted through the distribution of thousands of leaflets and brochures, emails to distribution lists, wide coverage over several weeks in the local press, online and social networks, foyer display in the administration centre and the library and a prominent position on Vincent's internet homepage, despite all this there was little response and therefore little support for the plan, I think its less than one (1) percent response rate.
  - It suggests that there are not many cyclists in Vincent and the greater majority of people not interested in the Bike Plan and wanting to commit the expenditure of large sums of money for what they would see as little benefit and a million dollars on a km of Oxford Street is absolutely ludicrous.
  - Based on this feedback proceeding to spend millions of dollars is just not justified, you need the demand to justify the expenditure. In terms of riding around Vincent I can ride many streets without using Scarborough Beach Road, Oxford Street, Bulwer Street or Vincent street. I can get to any cafe any shop and so forth and a smart rider would choose which roads they ride on.
  - Interesting there is a report released last month about the collisions between cyclists and cars, it actually surprised me but 54% is the fault of the cyclist not the driver. I don't see that on the roads, but that is what the stats tell us, so clearly there is more education required and not just white lines on the roads. The Department of Transport, bike maps includes Brentham Street, which runs parallel to Oxford Street to the West as a suitable road to ride on and then Shakespeare Street which has been mentioned already tonight, on the Eastern Side.
  - I can ride from Scarborough Beach Road to Leederville, in fact from Green Street to Leederville to the City, to Northbridge without using Oxford Street, as there are other roads to use. I was in Melbourne a couple of weeks ago which is the reason why I did not attend the previous meeting when this was discussed, and I took note of the bicycle lanes over there.
  - In summary as Councillors, I have been a ratepayer of the Town and is now the City of Vincent all that time. As a ratepayer I don't believe that you are serving the interest of me and my fellow ratepayers and you are certainly not protecting our interest, there is little support of this plan.
10. Stuart Lofthouse of 124 Oxford Street, Leederville – Item 9.2.3 stated the following:
- I would just like to carry on from where the previous speaker was and I am horrified that adults with children would expect others to take their kids on these bike paths, which isn't that why its all for to link communities extra. Which one of you Councillors would put your five or six year old kid on a bike and have them riding up and down Oxford Street with buses extra, not many of you, I am sure.
  - Rolling out Bike Lanes awesome, I think a lot of comments were something is better than nothing. I just wanted to say ditto to the previous speaker and the one before. Please reconsider.

11. Al Taylor of 3 Chatsworth Road, Highgate – Item 9.3.1 stated the following:
- I can't really speak with any authority on Banks Reserve, but I just want to quickly talk about what is going to be discussed tonight and there has been a kiosk proposed for both locations. There has been a fairly significant amount of Community Consultation on it and clearly there is quite a high percentage of people supporting it, yet the recommendation is not to proceed with it, in the minutes.
  - Perhaps we should pursue a mobile catering option and since 2012 this has been an off discussed subject and mobile catering was considered in 2012 and one person offered themselves up. My only suggestion or request is that rather than reject the kiosk proposal that if there is consideration to mobile, that both be put to community consultation and let the Community decide whether they would prefer mobile or kiosk and or both.
  - I would also just make the point that the kiosk at Hyde Park is about working within the existing structure.

There being no further speakers, Public Question Time closed at approx. 6.30pm.

**(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

- 3.1 Letter sent to Ms D Saunders relating to her various questions taken on notice at the Ordinary Meeting of Council held on 24 June 2014.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

- 5.1 Petition received on 26 June 2014 from Mr T Palioudakis of Oxford Street, Leederville, along with 75 signatures, requesting the Council: *"To abolish the Bike Network Plan that is proposed on Oxford Street as it will cause problems for our car parks/bin and waste collections. It will also make our driveway entry points shorter and will also shorten footpaths which are already at 1.5m in width. It will also add grief in driving in/out of our drive ways when we all struggle to focus on just the vehicles passing let alone another lane of bicycles to watch out for. There is a dedicated bike path along Britannia Reserve which is in place and working fine"*.

The Acting Chief Executive Officer recommended that this petition be received and referred to the Director Technical Services for investigation and report.

**Moved Cr Pintabona, Seconded Cr Cole**

**That the petition be received as recommended.**

**CARRIED UNANIMOUSLY (7-0)**

**(Mayor Carey was on approved leave of absence.)**

**(Cr Wilcox was on approved leave of absence.)**

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

- 6.1 Minutes of the Ordinary Meeting of Council held on 24 June 2014

**Moved Cr Topelberg, Seconded Cr McDonald**

**That the Minutes of the Ordinary Meeting of Council held on 24 June 2014 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (7-0)**

**(Mayor Carey was on approved leave of absence.)**

**(Cr Wilcox was on approved leave of absence.)**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

The Presiding Member Deputy Mayor Roslyn Harley read the following;

**7.1 Withdrawal Of Confidential Item 14.1**

Due to the Mayor's absence on personal leave, the A/Chief Executive Officer has WITHDRAWN Confidential Item 14.1 relating to the Local Government Reform Process from tonight's Agenda.

**8. DECLARATIONS OF INTERESTS**

8.1 Deputy Mayor Roslyn Harley declared a Proximity interest in Item 9.1.1 – Nos. 405 – 407 (Lots 55 & 56; D/P 2454) Oxford Street, Mount Hawthorn – Proposed Demolition of Existing Commercial Building and Construction of Four (4) Storey Mixed-Use Development Comprising Eleven (11) Offices, Three (3) Shops, Thirteen (13) Multiple Dwellings and Basement Car Parking (Amendments to Plans). The extent of her interest being that she owns a property adjacent to the address, the application relates to and she will not participate in the debate or be present in the room during the debate.

8.2 Cr John Pintabona declared a Proximity interest in Item 9.1.1 – Nos. 405 – 407 (Lots 55 & 56; D/P 2454) Oxford Street, Mount Hawthorn – Proposed Demolition of Existing Commercial Building and Construction of Four (4) Storey Mixed-Use Development Comprising Eleven (11) Offices, Three (3) Shops, Thirteen (13) Multiple Dwellings and Basement Car Parking (Amendments to Plans). The extent of his interest being that the development is next door to his property and he will exit the Council Chamber and he will not take part in the debate or vote on the matter.

**9. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)**

Nil.

**10. REPORTS**

The Presiding Member, Deputy Mayor Roslyn Harley, requested that the Acting Chief Executive Officer advise the meeting of:

**10.1 Items which are the subject of a question or comment from Members of the Public and the following was advised:**

Items 9.1.1, 9.1.2, 9.1.3, 9.1.4, 9.2.1, 9.2.3 & 9.3.1

**10.2 Items which require an Absolute Majority decision which have not already been the subject of a public question/comment and the following was advised:**

Nil.

**10.3 Items which Council Members/Officers have declared a financial or proximity interest and the following was advised:**

Item 9.1.1

Presiding Member, Deputy Mayor Roslyn Harley, requested Council Members to indicate:

- 10.4 **Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:**

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor John Carey	On approved leave of absence
Cr Buckels	Nil
Cr Cole	Nil
Cr Harley (Deputy Mayor)	Nil
Cr McDonald	9.4.3
Cr Peart	9.2.1, 9.2.3, 9.3.1 & 9.4.2
Cr Pintabona	Nil
Cr Topelberg	Nil
Cr Wilcox	On approved leave of absence

The Presiding Member, Deputy Mayor Roslyn Harley, requested that the Acting Chief Executive Officer to advise the meeting of:

- 10.5 **Unopposed items which will be moved “En Bloc” and the following was advised:**

Items 9.2.2, 9.4.1, 9.5.1 & 9.5.2

- 10.6 **Confidential Reports which will be considered behind closed doors and the following was advised:**

Nil.

**New Order of Business:**

The Acting Chief Executive Officer advised the meeting of the New Order of business, in which the items will be considered, as follows:

- (a) **Unopposed items moved *En Bloc*;**

Items 9.2.2, 9.4.1, 9.5.1 & 9.5.2

- (b) **Those being the subject of a question and/or comment by members of the public during “Question Time”;**

Items 9.1.1, 9.1.2, 9.1.3, 9.1.4, 9.2.1, 9.2.3 & 9.3.1

- (c) **Those items identified for discussion by Council Members;**

The remaining Items identified for discussion were considered in numerical order in which they appeared in the Agenda.

- (d) **Confidential Items – to be considered (“Behind Closed Doors”).**

**The Presiding Member, Deputy Mayor Roslyn Harley ruled that the Items raised during public question time for discussion are to be considered in numerical order as listed in the Agenda index.**

**ITEMS APPROVED “EN BLOC”:**

The following Items were approved unopposed and without discussion “*En Bloc*”, as recommended:

**Moved Cr Topelberg, Seconded Cr Buckels**

**That the following unopposed items be approved “En Bloc”, as recommended;**

**Items 9.2.2, 9.4.1, 9.5.1 & 9.5.2**

**CARRIED UNANIMOUSLY (7-0)**

**(Mayor Carey was on approved leave of absence.)**

**(Cr Wilcox was on approved leave of absence.)**

**9.2.2 Traffic Related Matters - Flinders Street, Mount Hawthorn - Proposed Installation of Traffic Calming Measures Scarborough Beach Road to Anzac Road**

<b>Ward:</b>	North	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Mount Hawthorn (1)	<b>File Ref:</b>	TES0093; SC228
<b>Attachments:</b>	<a href="#">001</a> – Proposed Plan No. 2854-CP-01A		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Wilson, A/Director Technical Services		
<b>Responsible Officer:</b>	C Wilson, A/Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **NOTES** the results of the public consultation;
2. **APPROVES** the installation of speed humps and nibs in Flinders Street between Scarborough Beach Road and Anzac Road, as shown on attached Plan No. 2854-CP-01A and estimated to cost \$25,000;
3. **NOTES** that;
  - 3.1 there is an allocation of \$25,000 in the 2014/2015 budget for the implementation of safety improvement works in Flinders Street; and
  - 3.2 Flinders Street, Scarborough Beach Road to Anzac Road, is also listed on the City's 2014/2015 Road Resurfacing Program and that the aforementioned traffic calming works would be undertaken in conjunction with the resurfacing works; and
4. **ADVISES** the respondents of its decision.

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**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)**

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**PURPOSE OF REPORT:**

The purpose of the report is to advise the Council of the outcome of the public consultation regarding a proposal to install traffic calming measures in Flinders Street, Mt Hawthorn, between Scarborough Beach and Anzac Roads, in response to resident's concerns about traffic speed and volumes.

**BACKGROUND:**

At its Ordinary Meeting of 13 May 2014 the Council received a report on a number of traffic related matters considered by the City's Integrated Transport Advisory Group (ITAG) at its meeting on 30 April 2014.

In respect of Flinders Street the Council decision (in part) was:

*“That the Council;*

1. *APPROVES IN PRINCIPLE the installation of speed humps/nibs in Flinders Street between Scarborough Beach Road and Anzac Road as shown on attached Plan No. 2854-CP-01A estimated to cost \$25,000 as recommended by the Integrated Transport Advisory Group at its meeting held on 30 April 2014 (refer to Attachment 9.2.1);*
2. *CONSULTS with affected residents in Flinders Street regarding the proposal as outlined in clause 1 above, in accordance with Community Consultation Policy No. 4.1.5;*
5. *RECEIVES a further report at the conclusion of the formal consultation period and further progress reports on the traffic matters as outlined in the report.”*

**DETAILS:**

**Community Consultation:**

In late May 2014 fifty five (55) letters were sent out to the residents of Flinders Street to which the City received twenty five (25) responses by the close of the consultation period on 13 June 2014. This represents a 45% response rate, which is approximately double the average response rate for consultations for traffic calming measures, indicating the depth of interest and concern.

Officers Comments:

As can be seen in the comments below, and is often the case, while most people support traffic calming they do not generally like nor want speed humps in front of their house. Including some who supported the concept on the proviso ‘that it is not in front of my house.’ Further one (1) comment, while having been ‘ticked’ as being in support, is not in favour of speed humps.

However, the concept plan, as circulated to the residents, was based upon the speed hump locations determined by the City’s officers and has not been amended in light of the comments. Therefore, it would be expected that if Council approve the installation of traffic calming, where shown on drawing 2854-CP-01A, and the works proceed, the City will receive criticism from some of the directly affected residents.

**Comments received:**

Related Comments *In Favour* of the Proposal (20):

- 11 x in favour no comments
- I was fortunate to not be home when the latest smash happened, as it was directly in front of my house and who knows what could have happened if my kids were playing out front. It could have been worse than a crashed car and broken fence.
- We fully support the idea as it will help make the street safer for our children, and the many other children in our street. Also, there are many drivers who exceed 60kph and trucks use the street to access the Mezz (avoid Sc. Beach Rd and Oxford).
- I believe this particular section of Flinders Street is a fatality waiting to happen!! I’ve lived here for over 13 years and the issue of speed and congestion has got worse...over the last 7 years my partner and I have had two cars written off in crashes whilst parked at the front of our property....
- We have noticed drivers speeding excessively on many occasions and been very concerned for the small children who are frequently crossing the street....we don’t mind losing a parking bay for the speed bump...

- I think that speed humps may help...I don't want it right out the front of my house...will it block the flow of water coming down the street?...will extra signage be put up and will this also be out front of my house?....
- 1. We support measures to reduce speeding, but not at the expense of increased traffic noise.....2. what evidence is there that this type of speed hump will reduce speed and deter rat runners?.. 3. Service vehicles for the Mezz use this section of Flinders St will speed humps increase the noise and pollution from them? 4. Would it be more effective to install roundabouts?
- From a purely safety aspect for the families living in Flinders St....
- It's a pity that you are doing these improvements only to be taken over by the Perth City Council "Don't Touch the City of Vincent"
- I was first on the scene of an accident...this could have potentially been averted if traffic slowing devices such as speed humps were installed. The road is also quite narrow, and vehicles often have difficulty passing each other, as no white lines divides the road into lanes....

Related Comments *Against* the Proposal (6)

- 1 x Against no comment
- I have lived her for over 50 years and have not seen any accidents in the street, witnessed excessive speed or felt that there was too high a volume of traffic flow. I am concerned that the speed humps would increase noise as vehicles go over them...maybe signpost each end as being a residential built-up area.
- I've seen very few accidents in the 41 year I've lived here. There were no speed humps when the complainants made the decision to live in Flinders St, so why the need for them now? There will always be an occasional incident of accident as the one that triggered this complaint...No speed humps for Flinders Street.
- I notice that your data indicates speeding only from Ashby to Hawthorn. It would seem to me that as a starting point only the middle two speed bumps may achieve the slowing of traffic in middle section of road...noise associated with cars going over the bumps can be an issue and greening/closing in roads can achieve same effect without noise of cars...
- I strongly object to the proposal. The traffic data provided in this letter provides evidence that it is not needed. Further, adding speed bumps would simply provide a noise nuisance to those living nearby.
- The proposed speed hump positioned outside our bedroom windows are not acceptable on account of the noise they are expected to produce...this location will be ineffective to reduce speeding because most of the speeding takes place in the middle section of Flinders Street...

Related Comments *Neither in Support nor Objecting*:

- Nil

**Information provided to the residents:**

In addition to a copy of drawing Plan No. 2854-CP-01A the residents received the following information:

*"Flinders Street is classified as a Local Distributor Road in accordance with the Metropolitan Functional Road Hierarchy. It is has a 50 kph speed limit and is classified to carry up to 6,000 vehicles per day.*

*This section of Flinders Street is 10.0m wide and gently grades down from Scarborough Beach Road towards Anzac Road.*

<b>Section</b>	<b>85% speed</b>	<b>Volume</b>	<b>% heavy vehicles</b>
<i>Scarb Bch Rd to Ashby</i>	<i>45.4 kph</i>	<i>1,982</i>	<i>1.9</i>
<i>Ashby to Hawthorn</i>	<i>55.4 kph</i>	<i>1,459</i>	<i>1.4</i>
<i>Hawthorn to Anzac</i>	<i>50.0 kph</i>	<i>1,390</i>	<i>1.8</i>

*As can be seen from the above figures, the traffic volume is within the criteria and the measured speed is below the posted speed except for the section between Ashby and Hawthorn Street.*

*At a recent Integrated Transport Advisory Group meeting attended by several residents from Flinders Street it was requested that the City implement measures to deter motorists from speeding and rat running.*

*The residents were advised that the road complied with its classification and that while the volumes and speed were not excessive it was considered that some intervention measures could be considered.*

*Discussion regarding the advantages/disadvantages of various road treatments including, speed humps, chicanes, a one way road section and also making the road into a cul-de-sac (as requested by one of the residents) ensued.*

*It was explained that creating a cul-de-sac would not be an acceptable option to the City due to the road's classification and the potential impact on adjoining streets.*

*A proposal comprising the installation of speed humps and nibs (as outlined on attached Plan No. 2854-CP-01A) was presented and discussed. One (1) resident indicated he was not in favour of speed humps outside his place while the other residents indicated they were in favour of the proposal.*

*It was concluded that consultation be undertaken in relation to the proposal and a report presented to the Council at the conclusion of the Consultation period."*

#### **CONSULTATION/ADVERTISING:**

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

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

Flinders Street is a Local Distributor Road under the care and control of the City. Proposed traffic calming devices constructed must be in accordance with the relevant Australian Standards and require Main Roads Western Australia's approval as the regulatory authority with responsibility for management of the State's road network.

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

**Low:** Regulatory approvals ensure that works are undertaken in accordance with the relevant standards and legislation.

**STRATEGIC IMPLICATIONS:**

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2014/2015 Budget includes \$25,000 for traffic management improvements in Flinders Street, which is the estimated cost to install the proposed treatment.

**COMMENTS:**

The City receives many requests for traffic management and/or calming. Most requests received are addressed by the Officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. On other occasions the residents' complaints are referred to ITAG or the Police Services for enforcement of the legal speed limit.

While the traffic data indicates that the speed in Flinders Street is not excessive the significant level of the resident's concerns, as borne out in higher than average consultation response rate, and 'sparked' by a recent traffic accident, it is recommended that the proposal, as outlined on attached Plan No 2854-CP-01A, be approved.

**9.4.1 100 Day Place Management Report**

<b>Ward:</b>	Both	<b>Date:</b>	27 July 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1492
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Doy, Place Manager A Birch, A/Manager Community Development		
<b>Responsible Officer:</b>	J Anthony, A/Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the 100 Day Place Management Report relating to the progress of the Place Management programme; and
2. **REQUESTS** a further Place Management Progress Report to Council in October 2014.

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)**

**PURPOSE OF REPORT:**

The following report outlines the work undertaken in the first 100 days of the newly established Place Management programme and provides an overview of the work expected to be completed in the next 100 days and beyond.

**BACKGROUND:**

The City's first Place Manager was appointed in February 2014 and commenced work at the City on 4 March 2014. The second Place Manager was appointed in May 2014 and commenced work on 12 May 2014. The Place Management programme is based around the preparation and delivery of Action Plans in each of the City's Town Centres. The Action Plan model is based upon an emerging placemaking movement where communities are taking a more active involvement in the evolution of 'place'.

**DETAILS:**

The following report outlines the work undertaken in the first 100 days of the City's Place Management programme. The Place Management programme has three (3) general areas of focus:

1. Develop a 'Place Led' culture within the City of Vincent staff and its programmes;
2. Develop a culture of community ownership and active involvement in the Town Centres; and
3. Deliver initiatives (physical infrastructure, policy changes, place branding, events or place governance) that lead to the Town Centres being better places for people.

### **Creating a 'Place Led' Culture**

One of the key aims of the Place Management team is to nurture a 'place led' culture within the City of Vincent. In contrast to the traditional siloed approach to governance, a 'place led' culture leads to a more collaborative approach centred on 'place'. Such a cultural change is not instant, but is rather the result of a sustained effort over a period of time. The Place Management team is working with the various disciplines within the City to improve and sustain this collaborative approach to delivering change to places.

### **Developing Place Based Governance Structures in our Town Centres**

On commencement of the Place Management programme, it was evident that the Town Centre Improvement groups were at different stages of development.

The Beaufort Street Network was clearly the most advanced of the groups having run a successful festival for a number of years; being in the process of developing an Action Plan themselves; achieved a good relationship with local business and resident community and implemented a number of streetscape improvements and smaller events.

Leederville Connect was in operation but had poor member attendance to meetings.

Mount Hawthorn Hub consisted of three (3) committee members, but had no support or guidance for future action and North Perth Local, then known as North Perth Business and Residents Group, had just restarted from the remains of the former North Perth Group.

A critical pillar of the Place Management programme is the development of a culture of ownership in the Town Centres. This means encouraging the community to become actively involved in what happens outside of the house and the shop. It means taking a proactive and positive approach to place development. This could be as complicated as delivering a street festival or developing a vacant site, to as simple as picking up rubbish or shopping at a local store. It is the role of the Action Plans to document these commitments and create a vehicle for the Place Management team to build this ethos into the community. The Action Plan creates a medium for daily meetings and discussions between the City and the community that start the transition from passive acceptance to active involvement.

### **Beaufort Street Network**

The Beaufort Street Network is the most developed of the Town Centre Improvement groups. The City's Place Management team:

- Represents the City at all Beaufort Street Network meetings;
- Involvement in the preparation of the Better Beaufort Action Plan launch;
- Attended the Better Beaufort Action Plan launch;
- Meets regularly with the Beaufort Street Festival team;
- Meets regularly with the Better Beaufort Action Plan team; and
- Attended the Beaufort Street Network Strategic Session.

### **Leederville Connect**

There is a clear need to continue to identify local champions who have the capacity and motivation to be actively involved in Leederville Connect. There is also a need to reconsider the way in which the Place Management team communicates with the Leederville Connect members. A one-on-one approach with members appears to be the best option in the short term until Leederville Connect evolve into a more organised and self sufficient group. The City's Place Management team attends all Leederville Connect meetings, regularly communicates with members to encourage increase activity and commitment to Leederville Connect and the Town Centre.

### **North Perth Local**

At the commencement of the Place Management programme North Perth Local was known as North Perth Business and Residents Group. At this stage, the group was fledgling and restarting the work that was begun by the North Perth Group – this time with new committee members. The group has adopted new branding, is effectively managing the Angove Street Festival, and has, with the support of the City, appointed a web designer to create the North Perth Local website. The City's Place Management team:

- Attends all North Perth Local meetings; and
- Regularly meets with the Angove Street Festival Team.

### **Mount Hawthorn Hub**

The Mount Hawthorn Hub has expanded their general executive member base from three (3) to over ten (10) in the last three (3) months. They have developed a core team of active participants including a web and graphic design team to lead the creation of the website, and also assist in community engagement. The group meet regularly and have been implementing quick wins to improve the street life and vibrancy of the Mount Hawthorn Town Centre. The City's Place Management team:

- Attends all Mount Hawthorn Hub Meetings; and
- Attended and presented at the Mount Hawthorn Hub Annual General Meeting.

### **Town Centre Action Plans**

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

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

Progress for each of the Action Plans is outlined below:

- Beaufort Street
  - Action Plan completed and launched to the community on 7 May, 2014; and
  - A number of actions have been completed or have commenced.
- Leederville
  - Action Plan template and graphics complete;
  - Community Information Session held on 8 June 2014; and
  - Community Engagement Session No.1 held on 19 June, 2014.
- North Perth
  - Action Plan template and graphics complete; and
  - Community Engagement Session No.1 scheduled for 29 June and No.2 to be held on 5 July, 2014.
- Mount Hawthorn
  - Action Plan template and graphics complete; and
  - Community Engagement Sessions held on 29 May, 8 June and 14 June 2014.

The Community Engagement Sessions are designed to draw out basic information from the community including:

- What the community likes about the Town Centre;
- What the community does not like about the Town Centre; and
- What the community would like to see happen in the Town Centre.

This information then forms the basis for a workshop where the Community is able to dissect the information and then plan actions to improve the Town Centre.

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

#### **Beaufort Street**

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

- Installation of twelve (12) new public seats. The locations were chosen in response to the data provided in the Better Beaufort Action Plan. The seating design has been carefully chosen to maximise user comfort with the inclusion of back and arm rests, whilst being a stylish and distinctive addition to Beaufort Street;
- The completion of street tree plantings in Beaufort Street extending from Bulwer Street to Walcott Street and on the immediate secondary streets;
- The preparation of the Mary Street Piazza concept. Council approved the Mary Street Piazza in principle at the Ordinary Meeting of Council held on 22 April 2014. The Piazza will be created as a temporary space during the advertising period;
- The implementation of artwork on the Beaufort Street pavement at the Grosvenor/Beaufort intersection and the St Albans/Beaufort intersection. The Place Management team has overseen the short listing of artists and has led the collaboration between the City and the Public Transport Authority, Main Roads and the City's 'street print' contractor;
- The Laneway between Lot 2 (485) Beaufort Street and Lot 1 (483) Beaufort Street will be activated into an outdoor gallery space with the installation of lightboxes and a chandelier. An artwork will also extend from the adjoining restaurant's wall onto the pavement. This is subject to a written agreement between the City and the landowner of Lot 1 (483) Beaufort Street being signed by the landowner;
- The City's Place Management team, in cooperation with the Beaufort Street Network has completed the graphic design for a wayfinding network which will be stencilled on the pavement. This will be implemented in July 2014;
- The City's Place Management team is working with Technical Services to deliver a bike workshop facility on Beaufort Street. A bike workshop facility was recommended by the Place Management team in a report to Council for No.609 – 623 (lots 5, 6, 7 and 151) Beaufort Street; D/P; 2324) at the Ordinary Meeting of Council on 8 April 2014. The location, cost and ultimate management structure is currently being considered; and
- The City's Place Management team has worked closely with the Beaufort Street Network, in their application for an Art Market on Beaufort Street. The application has been submitted to the City and is currently being assessed by the City's Statutory Planning team.

### **Leederville**

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

- A concept for the revitalisation of Lot 3 Oxford Street, Leederville (commonly referred to as the 'Water Corp Laneway') has been prepared and presented to the Leederville Town Centre Enhancement Working Group. Implementation is scheduled to occur at the beginning of the 2014/15 financial year;
- A streetscape audit has been undertaken for Leederville. This audit identifies existing physical infrastructure and identifies gaps in the current provision and other areas for improvement. New seating, street trees and bins have been identified for purchase for the 2014/15 financial year; and
- The existing bicycle rack provision in Leederville is good; however, the presentation is tired. A report was submitted to Council on 24 June 2014 requesting approval for the painting of thirty four (34) existing bicycle racks. Council approved an amendment requiring the matter to be considered by the Leederville Town Centre Enhancement Working Group at their upcoming meeting in July.

### **North Perth**

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

- A streetscape audit has been undertaken for the North Perth Town Centre. This audit identifies existing physical infrastructure and identifies holes in the current provision or areas for improvement. New seating, street trees, bins and bicycle racks have been identified for purchase for the 2014/15 financial year;
- The City's Place Management team with members from North Perth Local undertook a street walk to identify the best locations for the future North Perth public art work. A location was identified on the eastern border of the North Perth Plaza;
- Banners advertising the Angove Street Festival have been prepared by local designers and sponsored by the City. The City's Place Management team will manage their production and installation; and
- The City's Place Management team has overseen the ongoing approvals process for the Golden Days Markets located at the Rosemount Hotel car-parking area.

### **Mount Hawthorn**

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

- A streetscape audit has been undertaken for the Mount Hawthorn Town Centre. This audit identifies existing physical infrastructure and identifies holes in the current provision or areas for improvement. Trees and bike racks have been installed in select locations in the Town Centre, while new seating, more street trees and bins have been identified for purchase for the 2014/15 financial year;
- Street trees have been planted on the east side of Flinders Street between The Mezz and Scarborough Beach Road. As these trees mature, they will improve the walkability of this important connection;
- Banners advertising the Mount Hawthorn Town Centre have been prepared by local designers and sponsored by the City. The City's Place Management team will manage their production and installation;
- The City's Place Management team has completed the graphic design for a wayfinding network which will be stencilled on the pavement. This will improve the legibility of the Town Centre and promote walking and cycling. The Wayfinding Network will be implemented in July 2014; and

- The City's Place Management team has assisted the Mount Hawthorn Hub to procure street entertainers to perform on Scarborough Beach Road. This initiative is intended to spark a culture of street performance and improve the 'street life' of the Mount Hawthorn Town Centre, adding another 'reason' to visit and stay; and
- Through the facilitation of the City's Place Management team, the Mount Hawthorn Hub's graphic design and web creators are updating Google Maps to list current business and provide links to website and social media pages. This initiative will improve exposure to potential customers and the local community.

#### **Policy and Local Law Amendments**

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

- The City's Place Management team successfully streamlined the Outdoor Eating Areas Policy to remove the one (1) chair per 1m<sup>2</sup> provision which simplifies the application process for applicants;
- The City's Place Management team led the initiative to create Street Entertainer Zones within Vincent's Town Centres. This allows street performers to perform without the need for a permit. Performance areas are identified for performers through a 'play here' disc, ensuring pedestrian accessibility is maintained. This initiative required an amendment to the Trading in Public Place Local Law, which is currently being advertised to the community;
- The City's Place Management team is currently reviewing the Draft Mobile Food Vendors Policy. Food trucks are a popular and effective means of activating forgotten spaces or improving the destination qualities of existing places;
- The City's Place Management team is currently assisting the drafting of content for the Precinct Policies which will adjoin the future Town Planning Scheme No.2 as well as providing advice in the statutory section of the proposed Leederville Activity Centre Structure Plan. The Place Management team will provide direct input into built form requirements for active frontages and also advice around public realm standards and requirements for new developments; and
- The City's Place Management team is currently reviewing the 'Display of Goods on a Footpath' Policy to include informal seating out the front of businesses.

#### **Events**

The Place Management team is overseeing the approvals process and providing strategic advice for the following events in the Town Centres:

##### **Beaufort Street Festival**

- The Place Management team is in regular contact with the Beaufort Street Festival team, attending visioning and brainstorming sessions and providing advice around programming and community engagement.

##### **Light Up Leederville Carnival**

- The Place Management has regular one-on-one meetings with the Light Up Leederville Carnival Director.

##### **Future Mount Hawthorn Event/s**

- The Mount Hawthorn Hub are currently considering the best event structure for the coming 2014/2015 financial year. The Place Management team will provide advice and support in this regard.

### **Angove Street Festival**

- The Place Management team has met with the Angove Street Festival team, providing them with an application assistance kit, and undertaking a street walk to assist with the general layout of the festival.

### **Revelation Film Festival**

- The Place Management team met with the Revelation Film Festival Director and members of the Mount Hawthorn Hub to identify a location in Mount Hawthorn for a screening. The Film Festival will facilitate a screening at the Bohdi Tree in July.

### **St Patrick's Day**

- The City's Place Management team will assist the organisers of the St Patrick's Day festival to gain approvals and access funding from the City.

### **Beaufort Street Music Festival**

- The City's Place Management team will assist the organisers of the Beaufort Street Music Festival to gain approvals and access funding from the City.

### **Development Advice**

The City's Place Management team has provided ground floor activation and public realm improvement advice for a number of Development Applications. The Place Management team recommended that the cash-in-lieu for car parking generated from the Development Application for No.609 – 623 (lots 5, 6, 7 and 151) Beaufort Street be used to implement the development of a bike workshop on Beaufort Street. This initiative is currently being considered by the City.

### **CONSULTATION/ADVERTISING:**

Nil

### **LEGAL/POLICY:**

Nil

### **RISK MANAGEMENT IMPLICATIONS:**

Not Applicable

### **STRATEGIC IMPLICATIONS:**

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

#### **"Natural and Built Environment**

- 1.1 *Improve and maintain the natural and built environment and infrastructure"*
  - 1.1.2 *Enhance and maintain the character and heritage of the City.*
  - 1.1.5 *Take action to improve transport and parking in the City and mitigate the effects of traffic.*

#### **Economic Development**

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

Community, Development and Wellbeing

- 3.1 *Enhance and promote community development and wellbeing*
  - 3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity*
  - 3.1.3 *Promote health and wellbeing in the community*
  - 3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life.*
  - 3.1.6 *Build capacity within the community to meet its needs.*

Leadership, Governance and Management

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

**SUSTAINABILITY IMPLICATIONS:**

Not Applicable

**FINANCIAL/BUDGET IMPLICATIONS:**

The following table outlines the current expenditure of the Place Management budget. This does not include committed spending which has yet to be processed and is open to change. Remaining funds have been carried forward to next financial year.

<b>Town Centre</b>	<b>Items</b>	<b>Expenditure to date</b>
Beaufort Street	Mary Street Piazza (various)	\$1,211.50
	Wayfinding	\$140.00
North Perth	Community Engagement Sessions	\$430.00
Mount Hawthorn	Community Engagement Sessions	\$220.00
Leederville	Water Corp Laneway	\$2,380.00
	Community Engagement Sessions	\$626.00
General	Preparation of Action Plan templates/graphics	\$2,310.00
<b>Total current spend</b>		<b>\$7,317.50</b>

**COMMENTS:**

The above report outlines the work undertaken in the first 100 days of the City's Place Management Programme. It also provides an indication of the schedule of work that will be undertaken in the 2014/15 financial year.

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

<b>Ward:</b>	-	<b>Date:</b>	30 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	M Rootsey, A/Chief Executive Officer		

**OFFICER RECOMMENDATION:**

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

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)**

**BACKGROUND:**

The Acting Chief Executive Officer (A/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 A/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 Acting 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:

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
19/06/2014	Notification under Section 70A	3	City of Vincent and Totaro Developments Pty Ltd of 183 Great Eastern Highway, Belmont WA 6104 re: Nos. 61 & 63 (Lots: 25 & 26 D/P: 1149) Bourke Street, Leederville - <i>To satisfy Clause 2 of Conditional Planning Approval issued on 15 April 2014</i>
30/06/2014	Lease Agreement	3	City of Vincent and Vincent Men's Shed, C/o 6C Osborne Street Joondanna, WA 6060 re: Portion of No. 10 (Lot 2545) Farmer Street, North Perth 6006 - <i>Initial Term Commencement Date: 1 October 2013 until 1 October 2015 with Five Year Options</i>

**9.5.2 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	Mike Rootsey, Acting Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** the Information Bulletin dated 27 June 2014, as distributed with the Agenda.

**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)**

**DETAILS:**

The items included in the Information Bulletin dated 27 June 2014 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Unconfirmed Minutes of the Sustainability Advisory Group Meeting held on 5 May 2014
IB02	Unconfirmed Minutes of the Arts Advisory Group Meeting held on 24 February 2014
IB03	Unconfirmed Minutes of the Arts Advisory Group Meeting held on 26 May 2014
IB04	Unconfirmed Minutes of the Children and Young People Advisory Group Meeting held on 10 February 2014
IB05	Unconfirmed Minutes of the Children and Young People Advisory Group Meeting held on 20 March 2014
IB06	Unconfirmed Minutes of the Children and Young People Advisory Group Meeting held on 15 May 2014
IB07	Unconfirmed Minutes of the Integrated Transport Advisory Group Meeting held on 30 April 2014
IB08	Register of Petitions – Progress Report – July 2014
IB09	Register of Notices of Motion – Progress Report – July 2014
IB10	Register of Reports to be Actioned – Progress Report – July 2014
IB11	Register of Legal Action ( <b>Confidential – Council Members Only</b> ) - Monthly Report (June 2014)
IB12	Register of State Administrative Tribunal Appeals – Progress Report – As at 26 June 2014
IB13	Register of Applications Referred to the Design Advisory Committee –June 2014
IB14	Register of Applications Referred to the MetroWest Development Assessment Panel – Current
IB15	Forum Notes – 17 June 2014
IB16	Notice of Forum – 15 July 2014

**9.1.1 Nos. 405 – 407 (Lots 55 & 56; D/P 2454) Oxford Street, Mount Hawthorn – Proposed Demolition of Existing Commercial Building and Construction of Four (4) Storey Mixed-Use Development Comprising Eleven (11) Offices, Three (3) Shops, Thirteen (13) Multiple Dwellings and Basement Car Parking (Amendments to Plans)**

<b>Ward:</b>	North	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Mount Hawthorn, P2	<b>File Ref:</b>	PRO5755; 5.2014.333.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant Justification		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Bloomfield Design on behalf of the owners, 405-407 Oxford Street Trust Pty Ltd, for Proposed Demolition of Existing Commercial Building and Construction of Four (4) Storey Mixed Use Development Comprising Eleven (11) Offices, Three (3) Shops, Thirteen (13) Multiple Dwellings and Basement Car Parking (Amendments to Plans) at Nos. 405- 407 (Lots 55 & 56; D/P 2454) Oxford Street, Mount Hawthorn and as shown on plans stamp-dated 12 June 2014, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 401-403 & 409 -411 Oxford Street, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;

2. **Street Interaction**

Windows, doors and adjacent areas fronting Oxford Street, Mount Hawthorn shall maintain an active and interactive relationship with the street;

3. **On-Site Parking - Residential**

A minimum of twelve (12) residential car bays, and three (3) visitor car bays are to be provided on site for the residential component of the development;

4. **On-Site Parking Provision – Commercial**

A minimum of Sixteen (16) car bays are to be provided for the commercial component of the development;

5. **Car Parking and Accessways**

5.1 The on-site car parking area for the non-residential component shall be available for the occupiers and visitors of the residential component outside normal business hours;

- 5.2 The car park shall be used only by residents, tenants and visitors directly associated with the development;
  - 5.3 Car parking aisles shall comply with the minimum width in accordance with the requirements of AS2890.1;
  - 5.4 The car park area for visitors of the residential component and commercial car bays shall be shown as common property on any strata plan;
  - 5.5 Visual Truncations to comply with the City's Visual Truncation requirements at the exit of parking area onto the right-of-way; and
  - 5.6 Wheel stops to be placed to allow access to the stores and the store and the car bay to be allocated to the same tenant;
6. PRIOR TO THE ISSUE OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City;

6.1 Landscape and Reticulation Plan

A detailed landscape and reticulation plan in accordance with the requirements of the Commercial and Mixed-Use Policy 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:

- 6.1.1 The location and type of existing and proposed trees and plants.
- 6.1.2 All vegetation including lawns.
- 6.1.3 Areas to be irrigated or reticulated.
- 6.1.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months.
- 6.1.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

The Council encourages landscaping methods and species selection which do not rely on reticulation; and

All such works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

6.2 Amalgamation

The subject lots shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Permit the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the City, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the City's solicitors or other solicitors agreed upon by the City, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Permit. All costs associated with this condition shall be borne by the applicant/owner(s). Amalgamation of the lots is not required if it can be demonstrated that the proposed development complies with the relevant requirements of the National Construction Code Series;

**6.3 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development;

**6.4 Construction Management Plan**

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

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

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

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

6.5.2 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. The on-site car parking was in accordance with the requirements of the Residential Design Codes, the City's Policy No. 7.7.1 relating to Parking and Access.

This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;

**6.6 Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

**6.7 Waste Management Plan/Stormwater Management Plan**

Waste Management and Storm Management Plans to be submitted and approved by the City's Technical Services;

**6.8 Star Rating/Sustainability**

6.8.1 Building to be designed to achieve a minimum 6 Star NatHERS rating and an average 7 Star NatHERS rating; and

6.8.2 The proposed development shall incorporate design features that comply with a minimum 6 Star rating under the Nationwide House Energy Rating Scheme (NatHERS);

**6.9 Visual Privacy**

The rear first floor offices on the western façade to be screened to a minimum height of 1.6 metres, as to not overlook any part of any other residential property behind its street setback line within the 6.0 metre cone of vision. Screening is to be as per the requirements of the Residential Design Codes WA 2013.

**6.10 Awnings**

Continuous and complementary awnings being provided over the Oxford Street footpath in accordance with the City's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 500 millimetres and a maximum of 750 millimetres from the kerb line of Oxford Street; and

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

**7.1 Percent for Public Art**

The owner(s), or the applicant on behalf of the owner(s), shall comply with the City of Vincent Percent for Public Art Policy No. 7.5.13 and the Percent for Public Art Guidelines for Developers, including:

**7.1.1** Elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$55,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development \$5,500,000; and

**7.2** in conjunction with the above chosen option;

**7.2.1 Option 1**

Prior to the submission of a Building Permit for the development, obtain approval for the Public Art Project and associated Artist; and  
prior to the submission of an Occupancy Permit, install the approved public art project, and thereafter maintain the art work;  
OR

**7.2.2 Option 2**

Prior to the submission of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;

**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. 7.5.12 relating to Development Guidelines for Commercial and Mixed Use Developments and the Residential Design Codes of WA 2013;

**8.2 Car Parking**

The car parking area(s) 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 Residential Bicycle Bays**

A minimum of five (5) residential bicycle bays, and two (2) visitor bicycle bays be provided on-site. Bicycle bays for the residents must be located within the development, and bicycle bays for visitors 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;

**8.4 Commercial Bicycle Bays**

A minimum of five (5) Class 1 or 2 bicycle bays, and ten (10) Class 3 bicycle bays be provided on-site. Class 3 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;

**8.5 End of Trip Facilities**

A minimum of one (1) End of Trip Facility which incorporates a minimum of one (1) female shower and one (1) male shower, located in separate change rooms or a minimum of two separate unisex shower and change rooms is to be provided. The end of journey facilities to be located as a close as possible to the bicycle parking facilities. The facility to incorporate secure change rooms with a locker for every bicycle parking bay, capable of being locked;

**8.6 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/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City;

**8.7 Star Rating**

The proposed development, on practicable completion, is to be independently assessed by NatHERS accredited professional at the applicants cost. The independent assessment is to include assessment of a full set of 'as built' drawings with all results reported to the City as proof that construction met or exceeded the previously certified Nationwide House Energy Rating Scheme (NatHERS); and

9. The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City.

**ADVICE NOTES:**

1. 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(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street;
2. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
3. 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;
4. A bin store is required to be provided, of sufficient size to accommodate the City's maximum bin requirement, as assessed by the City's Technical Services Directorate;
5. Structures including walls, fencing, retaining and any proposed landscaping within 1.5 metres of a driveway meeting a property boundary must comply with the requirements for visual truncation, being that anything above 0.65 metres in height is to have a minimum visual permeability of 50 percent, with the exception of a single pier which may not exceed 355mm in width;
6. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and signage shall be subject to a separate Building Permit application, being submitted to and approved by the City prior to the erection of the signage;
7. A demolition permit shall be obtained from the City prior to commencement of any works on the site;
8. The City is not responsible for the relocation of any services that may be required as a result of the development; and
9. In keeping with the City's Policy No. 2.2.2 relating to Undergrounding of Power, the power lines along the Oxford Street frontages of the development shall be placed underground at the Developer's full cost. The developer is required to liaise with both the City and Western Power to comply with their respective requirements.

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the City's Policies.

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The Presiding Member Deputy Mayor vacated the Chair and the Chamber at 6.35pm.

Cr Pintabona departed the Chamber at 6.35pm.

Cr Buckels assumed the Chair at 6.35pm.

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Cole, Seconded Cr Peart**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY (5-0)**

(Deputy Mayor Roslyn Harley and Cr Pintabona were absent from the Chamber and did not vote.)

(Mayor Carey was on approved leave of absence.)

(Cr Wilcox was on approved leave of absence.)

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**PURPOSE OF REPORT:**

The proposal is referred to the Council for determination, given the proposal is a four (4) storey mixed use development.

**BACKGROUND:**

11 March 2014	The Council at its Ordinary Meeting approved an application for a Four Storey Mixed Use development on the subject site.
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**DETAILS:**

<b>Landowner:</b>	405-407 Oxford Street Trust Pty Ltd
<b>Applicant:</b>	Bloomfield Design
<b>Zoning:</b>	Commercial
<b>Existing Land Use:</b>	Commercial and Vacant
<b>Use Class:</b>	"AA", "P", "P"
<b>Use Classification:</b>	Multiple Dwellings, Offices, Shops
<b>Lot Area:</b>	Lot 55 – 582 square metres; Lot 56 – 582 square metres. Total - 1164 square metres
<b>Right of Way:</b>	Western, 5.0 metre width, City owned.

The proposed application is for the Demolition of Existing Commercial Building and Construction of Four (4) Storey Mixed Use Development Comprising Eleven (11) Offices, Three (3) Shops and Thirteen (13) Multiple Dwellings and Basement Car parking.

The proposed amendments to the development application which was previously approved is as follows:

- a). A change in the mix of apartments from Five (5) Single Bedroom Multiple Dwellings and Six (6) Two Bedrooms for a total of eleven (11) dwellings to Eight (8) Single Bedroom Dwellings and Five (5) Two Bedroom Dwellings.
- b). Two (2) additional apartments are proposed.
- c). Minor amendment to the aesthetic look of the building including glazing.

**ASSESSMENT:**

**Town Planning Scheme/Residential Design Codes Assessment**

Design Element	Complies 'Deemed to Comply' or TPS Clause	OR	'Design Principles' Assessment or TPS Discretionary Clause
Plot Ratio			✓
Streetscape	✓		
Front Fence	N/A		
Front Setback	✓		
Lot Boundary Setbacks	✓		
Building Height/ Number of Storeys			✓ (Previously approved by the Council)
Open Space	✓		
Bicycles			✓ (Previously Approved by the Council)
Development Guidelines for Commercial and Mixed Use Development Variations			✓ (Previously Approved by the Council)
Access & Parking	✓		
Privacy	✓		
Solar Access	N/A		
Site Works	N/A		
Utilities & Facilities	✓		
Surveillance	✓		

**Town Planning Scheme/Residential Design Codes Assessment**

Issue/Design Element:	Plot Ratio
Requirement:	<b>R-Codes – Clause 6.1.1 C1 Residential Design Codes Clause 6.1.1 A1</b> Plot ratio: 0.7 (814.80 square metres)
Applicants Proposal:	Plot ratio: 0.87 (1019 square metres)
Design Principles	R-Codes Clause 6.1.1 Development of the building is at a bulk and scale indicated in the local planning scheme and is consistent with the existing or future desired built form of the locality.
Applicant justification summary:	<i>To achieve a feasible development it was necessary to have 11 units on the site, with retail and commercial office space on the ground floor and one level of commercial office space on the first floor meant that it was therefore necessary to fit 5 units across each boundary. If these were to be restricted to one floor the units would be very slender with poor access to natural light and ventilation.</i>
Officer technical comment:	Supported. The proposed development provides for a minor increase in the plot ratio from 0.83 to 0.87, with the increase in area derived from the reworking of the units themselves. The proposed building is considered to be of a bulk and scale commensurate with the Commercial zoning, Oxford Street area and its Town Centre context. The proposed variation to plot ratio is not considered to be of a significant nature and is mostly generated by the area of the fourth floor, which is considered to be a small area of the overall building. The layout of the building is not considered to be overbearing to the western adjoining residential properties and has been articulated to reduce its bulk and scale to the rear.

Issue/Design Element:	Plot Ratio
	<p>Further to the above, the proposed development may be afforded an additional storey, in accordance with the City's Policy No. 7.5.11 relating to Exercise of Discretion for Development Variation, this will in turn result in a greater plot ratio allowance for a development.</p> <p>It is considered in terms of scale and height (four storeys) an example of a similar development approved by Development Assessment Panels (DAPs), within close proximity to the subject site, at No. 359 Oxford Street, Mount Hawthorn.</p> <p>In addition it is also noted that under the provisions of Draft Town Planning Scheme No. 2 that the property will be zoned District Centre (Mount Hawthorn Precinct) and with a permitted plot ratio of 1.25. It is therefore considered the proposed plot ratio of 0.87 will be well within the proposed scope of development permitted for the area.</p>

Issue/Design Element:	Bicycles
Requirement:	<p><b>Residential Design Codes Clause 6.3.3 A3.2</b> Bicycles Residents – 5 Visitors – 2 Commercial- Retail – 2 (Class 1 or 2)/ 4 (Class 3) Office – 3 (Class 1 or 2)/6 (Class 3)</p>
Applicants Proposal:	Bicycle Area provided but no number stated.
Design Principles	<p><b>Residential Design Codes Clause 6.3.3 P3.1</b> P3.1 Adequate car and bicycle parking provided on-site in accordance with projected need related to:</p> <ul style="list-style-type: none"> <li>• the type, number and size of dwellings;</li> <li>• the availability of on-street and other off-site parking; and</li> <li>• the proximity of the proposed development in relation to public transport and other facilities.</li> </ul>
Applicant justification summary:	Not Provided.
Officer technical comment:	Not supported. The applicant is required to provide the applicable number of bicycle bays and is therefore conditioned accordingly. In addition as five bays Class 1 or 2 bays are required, end of trip facility is required and conditioned accordingly.

**Proposed Car Parking**

<b>Commercial Car Parking</b>	
Retail – 1 space per 20 Net Lettable Area– 181 square metres – 9.05 car bays Office – 1 space per 50 Net Lettable Area – 926 square metres – 18.52	
Required = 27.57 car bays= 28 car bays	28.00 car bays
Adjustment Factors 0.80 – The development is located within 400 metres of a bus route 0.85 – The development is located within 400 metres of an existing off-street public car park with in excess of 75 car bays. 0.90 – The development is located in a Town Centre shown in Appendix 1. 0.80 – The development proposes a mix of residential and commercial uses, provided at least 50% of the total plot ratio is residential.	0.4896  13.71 car bays
Retail – 1 space per 20 Net Lettable Area – 61 square metres - 3.05 car parking bays	3.00 car bays
Adjustment Factors 0.80 – The development is located within 400 metres of a bus route 0.85 – The development is located within 400 metres of an existing off-street public car park with in excess of 75 car bays. 0.90 – The development is located in a Town Centre shown in Appendix 1. 0.80 – The development proposes a mix of residential and commercial uses, provided at least 50% of the total plot ratio is residential. 0.80 – The development proposes a small scale (less than 80 square metres Net Lettable Area 'active use' and is located on the ground floor of a building in a Town Centre	0.39168 1.175 car bays
Total Number of Carbays – (after adjustment factors) – 13.71 + 1.175 car bays = 14.885 car bays	15.00 car bays
Proposed Car Parking Bays on-site	45.00 car bays
<b>Surplus</b>	<b>30.00 car bays</b>
<b>Residential Car Parking</b>	
Small Multiple Dwelling (75 square metres or less)- 0.75 bay per dwelling (6 dwellings)= 4.50 car bays ~ 5.00 car bays Medium Multiple Dwelling (75-110 square metres)- 1 bay per dwelling (7 dwellings)= 7.00 car bays Visitors= 0.25 per dwelling (13) dwellings) = 3.25 car bays or 4.0 car bays  Total= Sixteen (16) car bays (12 Residential/4 Visitors)	Proposed Thirty (30) bays
<b>Surplus</b>	<b>14.00 car bays</b>

<b>Residential Bicycle Parking</b>		
<b>Bicycle Parking</b>	Residential component (as per the R-Codes- 1 bicycle space to each 3 dwellings for residents (13) dwellings – 4.33 or 5.0 required) and 1 bicycle space to each 10 dwellings for visitors(13 dwellings – 1.3 or 2.0):  Five (5) bicycle bays for the residents and two (2) bicycle bay for the visitors.	Proposed: Nil Bicycle Area Provided with no specific numbers provided. A condition is proposed to require the applicable number of car parking bays.

<b>Commercial Bicycle Parking</b>		
<b>Bicycle Parking</b>	Shop: 1 space per 40 square metres net lettable area – (242 square metres) – 6.05 Office: 1 space per 100 square metres net lettable area (926 square metres)– 9.26 Total Bicycle spaces – 15.31  Class 1 or 2 Facilities - 35% of required (15.31 spaces – 5.35 spaces or 5.00 Class 3 Facilities – 65% of required (15.31 spaces – 9.95 spaces or 10	Proposed - Nil Shop – Bicycle Area Allocated. Office – Bicycle Area Allocated.  A condition is proposed to require the applicable number of bicycle bays. In addition as more than 5 bicycle bays area required End of Trip Facility is to be provided and conditioned accordingly.

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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No further advertising was undertaken for the subject application as the amendments to the proposed development are minor in nature and the development application was previously advertised within the last year in accordance with the City’s Community Consultation Policy No. 4.1.5. The application was previously advertised between the 13 January 2014 and 4 February 2014. Five (5) Comments received with Three (3) Objections and Two (2) Comments of Concern.

**Design Advisory Committee:**

Referred to Design Advisory Committee: Yes

The application was referred to the DAC on 1 May 2013, 3 July 2013, 6 November 2013 and 5 February 2014.

It is noted the applicant has incorporated the following from the meeting of DAC on 6 November 2013;

- All units have large balcony space to street;
- Windows have been modified to allow for further north facing windows and natural light into living spaces;
- The open atrium courtyard now extends to the ground floor;
- The façade of the building has been developed with alternative treatments proposed;
- The façade of the ground floor has been amended to include a dado wall with black glazed bricks and windows above;
- The design of the residential apartments has been improved to create a better perception of a secure residential entrance via courtyard, no longer internal bedrooms; and
- Artwork has now been implemented to the front facade instead with an organic appearance instead of ‘greenwall’ itself. This is to alleviate potential upkeep of it in the future.

Below are the comments of DAC from 19 February 2014.

*“Discussion:*

*The Design Advisory Committee provides architectural advice and context which informs the planning process at the City of Vincent. It does not constitute general planning advice or reflect the final decision which is solely at the discretion of the decision making body, which is the Council or the Development Assessment Panel (as applicable).*

*The applicant has engaged with DAC advice and, as a result, substantial improvements have been made. The mandatory requirements from previous proposal have been addressed.*

*Attributes include;*

- *Elevations have been resolved. The façade now has a finer grain and a more pedestrian scale. Materiality has evolved from a commercial ‘glass and alucobond’ palette to a combination of render, brickwork, glazed bricks (a contemporary interpretation of the traditional tiled shopfronts on Oxford St) patterned screening and aluminium louvres. The materials palette between commercial and residential differs, articulating the different uses.*
- *Lobby configuration has been rationalised.*
- *Better engagement between ground floor uses and the street. The revised ground floor proposal offers greatly improved street activation.*
- *The atrium now extends to ground level (previously to second floor only) allowing day lighting and opportunities for natural ventilation to the ground and first floor office and retail spaces.*
- *Apartment layouts have been updated so that, generally, there is a higher quality amenity offered. Most apartments are dual aspect, with good opportunity for natural ventilation, and high quality outdoor spaces. Whilst the majority of apartments face east-west, northern solar access to living areas and upper floor circulation spaces is admitted via; a stepped roof form, an articulated front elevation, clerestory windows and void arrangement. The combination of these four items is key to the success of the apartment layouts.*
- *The ‘stepped’ roof form also contributes to the buildings articulation and contributes to the residential scale of the top floors.*
- *Well-designed shading devices are proposed to ameliorate east – west low angle sun.*
- *Improved delineation between public and private open spaces.*
- *Introduction of private courtyards to the rear of apartments allows for activation and better use of the central open space area.*

*Recommendation:*

*The DAC supports and considers this proposal to have achieved Design Excellence.*

*The DAC wishes to congratulate the Applicant for their willingness and ability to engage with the DACs advice.*

*Mandatory:*

*Design Considerations:*

*Technical:*

*All technical issues must be resolved with City of Vincent officers.”*

In view of the above mentioned comments from DAC the proposal is supported in its current configuration. Given that Design Excellence has been afforded, the additional storey proposed can be supported subject to compliancy with Sustainable Design initiatives and its implementation as per Policy No. 7.5.11 relating to Exercise of Discretion for Development Variations.

**LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Demolition of Existing Commercial Building and Construction of Four (4) Storey Mixed Use Development Comprising Eleven (11) Offices, Three (3) Shops and Thirteen (13) 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;
- Development Guidelines for Commercial and Mixed Use Policy No.7.5.12;
- Mount Hawthorn Centre Precinct Policy No. 7.1.2; and
- Exercise of Discretion for Development Variations Policy No. 7.5.11.

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

*"Natural and Built Environment*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

**ENVIRONMENTAL**

The design of the dwellings allow for adequate light and ventilation.

**SOCIAL**

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**

The construction of the building will provide short term employment opportunities. Retail and Officer will provide long term opportunities for the use of the building.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS**

It is considered the proposed development and the amendments in this submission will meet the draft provisions of Draft Town Planning Scheme No. 2 in that the property will be zoned District Centre (Mount Hawthorn Precinct) and with a permitted plot ratio of 1.25. It is therefore considered the proposed plot ratio of 0.87 will be well within the proposed scope of development permitted for the area.

**Conclusion**

The proposed amendments to the approved Planning application in terms of the apartments themselves and the mix of apartments with one and two bedrooms are minor in nature and will not impact the surrounding properties. The aesthetic changes to the building are also minor in nature and will not impact the streetscape or the adjoining properties.

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

**9.1.2 No. 298 (Lot 888) Lord Street, Corner of Windsor Street, Highgate – Proposed Amendment from Construction of Six-Storey Mixed Use Development Comprising Thirty-Two (32) Single Bedroom Multiple Dwellings, Thirty-Six (36) Multiple Dwellings, One (1) Shop, Five (5) Offices and Associated Basement Car Parking to Construction of Six-Storey Mixed Use Development Comprising Twenty-Six (26) Single Bedroom Multiple Dwellings, Forty-Two (42) Multiple Dwellings, One (1) Shop, Four (4) Offices and Associated Car Parking (Reconsideration of Conditions)**

<b>Ward:</b>	South	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Banks; P15	<b>File Ref:</b>	PRO3571 5.2014.281.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant Report <a href="#">003</a> – Applicant Letter <a href="#">004</a> - Copy of Council Report 11 June 2013		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	Remajee Narroo, Acting Co-ordinator Statutory Planning Anita Marriott, Sustainability Officer		
<b>Responsible Officer:</b>	Petar Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Rowe Group on behalf of the owners, 300 Lord St Pty Ltd (JNI Developments & Others) for Proposed Amendment from Construction of Six-Storey Mixed Use Development Comprising Thirty-Two (32) Single Bedroom Multiple Dwellings, Thirty-Six (36) Multiple Dwellings, One (1) Shop, Five (5) Offices and Associated Basement Car Parking to Construction of Six-Storey Mixed Use Development Comprising Twenty-Six (26) Single Bedroom Multiple Dwellings, Forty-Two (42) Multiple Dwellings, One (1) Shop, Four (4) Offices and Associated Car Parking (Reconsideration of Conditions) at No.298 (Lot 888) Lord Street, corner of Windsor Street, Highgate, as shown on plans stamp dated 22 May 2014 subject to the following conditions:

1. The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 308 Lord Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;
2. Doors, windows and adjacent floor areas facing Lord Street and Windsor Street shall maintain active and interactive relationships with these streets;
3. The maximum gross floor area of the shop shall be limited to 126 square metres;
4. The maximum gross floor area of the office shall be limited to 205 square metres;
5. The on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;
6. The car park shall be used only by residents, employees, tenants, and visitors directly associated with the development;
7. The street parking does not form part of this development approval and will not be approved in the form shown on the proposed plans;

8. The owner(s), or the applicant on behalf of the owner(s), shall comply with the City's Policy No. 3.5.13 relating to Percent for Public Art and the Percent for Public Art Guidelines for Developers, including:

8.1 WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$120,000 (Option 2), for the equivalent value of one percent (1%) of the estimated total cost of the development (\$12,000,000);

8.2 in conjunction with the above chosen option;

8.2.1 Option 1 – prior to the commencement of the development, obtain approval for the Public Art Project and associated Artist;

and

Prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

OR

8.2.2 Option 2 – prior to the commencement of the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount.

The approved artwork in accordance with Option 1 above, shall be installed prior to the issue of a Certificate of Occupancy for the development;

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

9.1 Pay a cash-in-lieu contribution of \$4,760 for the equivalent value of 1.36 car parking spaces, based on the cost of \$3,500 per bay as set out in the City's 2012/2013 Budget; OR

9.2 Lodge an appropriate assurance bond/bank guarantee of a value of \$4,760 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

9.2.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or

9.2.2 To the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or

9.2.3 To the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on-site and to reflect the new changes in the car parking requirements;

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

**10.1 Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, Construction Management Plan Guidelines and Construction Management Plan Application for Approval Proforma;

**10.2 Visual Truncation**

Amended plans are required to be submitted detailing:

10.2.1 No building, wall, fence or landscaping greater than 0.75 metre in height, measured from the natural ground level at the access/egress ramps, shall be constructed within 1.5 metres of a vehicular access way, unless such wall or fence is constructed with a 1.5 metre truncation to ensure safe access for right of way users; and

10.2.2 A 3 metre by 3 metre truncation to be provided to the south-eastern corner of the development located at the access and egress point from Windsor Street to the right of way;

**10.3 Sustainability**

The development is to meet the following minimum Environmentally Sustainable Design (ESD) requirements:

10.3.1 The final design submitted for the Building Permit approval is to achieve a ten (10) per cent or greater reduction in energy use for apartments beyond that mandated by the statutory requirements of the National Construction Codes of Australia and is to be accompanied by an ESD report demonstrating how this reduction is to be achieved;

10.3.2 The final design submitted for Building Permit approval must incorporate the highest WELS rated tap ware, toilets and showers throughout the development and be accompanied by a list of all proposed fittings and their WELS ratings;

10.3.3 The final design submitted for the Building Permit approval must be accompanied by evidence of engagement of an ISO14001 accredited waste management contractor and a waste management plan demonstrating how eighty (80) per cent or more of the construction waste resulting from the development will be recycled; and

10.3.4 The final design submitted for Building Permit approval must be accompanied by an updated Green Star Performance Report confirming that the final design achieves a minimum of 39 weighted points against the current Multi Unit Residential rating tool as previously submitted to the City;

**10.4 Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verges shall be submitted to the City's Parks and Property Services 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:

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

10.4.2 All vegetation including lawns;

10.4.3 Areas to be irrigated or reticulated;

10.4.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and

10.4.5 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

The Council encourages landscaping methods and species selection which do not rely on reticulation.

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

**10.5 Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

**10.6 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the City for approval and the recommended measures of the approved Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development;

**10.7 Refuse and Recycling Management Plan**

Bin numbers, collection and stores shall meet with the City's minimum service provision to the satisfaction of the City's Technical Services. A waste management plan, prepared by a qualified consultant, is to be prepared and approved by the City's Technical Services Section;

**10.8 Windsor Street/Right of Way Crossover**

The crossover from Windsor Street and the right of way is to be at 90 degrees from the kerb line;

**10.9 Privacy Screening**

The following major opening(s) shall be screened to the requirements of the Residential Design Codes November 2010:

**10.9.1** The northern and eastern elevation of the communal deck at any point within the cone of vision less than 7.5 metres from a neighbouring boundary;

**10.10** Footpath Upgrade

In keeping with the City's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the City's specification. The upgrade bond shall also be applied to construction of embayed parking to the City's design. A refundable footpath upgrading bond of \$86,000 shall be lodged prior to the issue of a Building Permit and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the City's Technical Services. An application to the City for the refund of the upgrading bond when works are completed must be made in writing;

**10.11** Access Ramps

**10.11.1** Revised plans shall be submitted demonstrating the access ramps to the parking levels being modified with kerbing guides to prevent a left turn into the right of way. All vehicles egressing the development are to make the right turn to the Windsor Street access point of the right-of-way;

**10.11.2** Ramp grades shall adhere to AS2890.1; and

**10.11.3** Headroom of bays under access ramps to parking levels to be a minimum of 2.2 metres in height in accordance with the requirements of AS 2890.1;

**10.12** Manoeuvring Space

Six (6) metres manoeuvring room shall be provided for vehicle access from the right of way into the parking area access points;

**10.13** Intersection Modification

The intersection of Windsor Street and Lord Street shall be modified to satisfactorily address access and safety issues, at the full cost of the developer/applicant. A bond of \$25,000 shall be paid prior to the issue of a Building Permit. Actual cost of the modifications will be determined when required design has been costed, to the satisfaction of the City's Technical Services;

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

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

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

**10.14.2** The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units or commercial tenancies.

This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development; and

**10.15** Design Features

A minimum of two (2) design features being incorporated into the boundary wall on the northern elevation of the building;

**10.16** Car Parking

**10.16.1** Car parking bays shall comply with the minimum length and width in accordance with the requirements of AS2890.1, being 5.4 metres by 2.4 metres; and

**10.16.2** No piers are to be positioned in the car parking bay exclusion zones and piers to be so designed so as to adhere to the requirements of AS2890.1;

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

**11.1** Car Parking

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

**11.2** Residential Car Bays

A minimum of sixty two (62) and four (4) car bays shall be provided for the residents and visitors respectively. The sixty six (66) car parking spaces shall be clearly marked and signposted accordingly;

**11.3** Visitor Bays

The car parking area shown for the visitor bays shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;

**11.4** Commercial Car Parking

**11.4.1** six (6) car parking spaces for the commercial component shall be clearly marked and signposted; and

**11.4.2** The car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;

**11.5 Bicycle Parking Facilities**

**11.5.1 Twenty-three (23) and seven (7) bicycle bays shall be provided for the residents and visitors respectively. Bicycle bays for visitors must be provided at a location convenient to the entrance, publically accessible and within the development, and bicycle bays for the residents must be located within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and**

**11.5.2 Five (5) class one or two bicycle parking facilities and one (1) class three bicycle parking facilities shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the City prior to the installation of such facilities;**

**11.6 Right of Way**

**11.6.1 The right-of-way being widened to 6 metres in width along the full width and length of the eastern boundary of Lot 888;**

**11.6.2 The owner(s) or the applicant on behalf of the owner(s) shall enter into a legal agreement with the City to cede 1.48 metres of land to the City for the entire length of the eastern boundary for the purposes of widening the right of way to 6 metres. All costs are to be paid by the applicant to the specifications of the City's Solicitors and Chief Executive Officer; and**

**11.6.3 The right-of-way adjoining Lot 888 to be widened by 1.48 metres, such widening being shown on the Deposited Plan as a Right-of-Way, and vested in the Crown under section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any compensation by the Crown or the City;**

**11.7 Management Plan-Vehicular Entry Gate**

**11.7.1 The security gates are required to be setback a minimum of 6 metres from the right-of-way to ensure that there are no obstructions in the right-of-way; and**

**11.7.2 The proposed vehicular entry gate 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 gate, to ensure access is readily available for residents/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City; and**

**11.8 Strata Management Plan**

**The Applicant shall submit a strata management plan which encourages residents to use Windsor Street as the primary access/egress point;**

**11.9 Clothes Drying Facility**

**Each multiple dwelling shall be provided with drying facilities in accordance with the Residential Design Codes of WA 2013;**

**12. The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City's Chief Executive Officer.**

**ADVICE NOTES:**

1. With regard to condition 1, the owners of the subject land should obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With regards to conditions 3 and 4, any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
3. Privacy screening as required by condition 10.9 is to be to a minimum of 1.6 metres above finished floor level and permanent in nature, which does not include self adhesive material. The screening may be horizontal or vertical (where appropriate), and top hinged windows may be openable no greater than 20 degrees. Alternatively if the opening(s) are amended to no longer be considered a major opening as defined in the Residential Design Codes November 2010, screening is not required;
4. 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(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Lord Street, Windsor Street and the right-of-way;
5. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and
6. Any new street/front wall, fence and gate within the Lord Street and Windsor Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences.

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Cr Buckels vacated the Chair at 6.36pm.

Deputy Mayor Roslyn Harley returned to the Chamber and assumed the Chair at 6.36pm.

Cr Pintabona returned to the Chamber at 6.36pm.

**COUNCIL DECISION ITEM 9.1.2**

**Moved Cr Buckels, Seconded Cr Peart**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)

(Cr Wilcox was on approved leave of absence.)

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**PURPOSE OF REPORT:**

The proposal is referred to the Council for determination, given it relates to reconsideration of conditions to the proposed development which was previously approved by the Council at its Ordinary Meeting held on 11 June 2013. The conditions being reconsidered are 10.3, 11.10 relating to Energy Efficiency and 11.9 regarding Clothes Drying Facility. In their submission, the applicant stated that compliance with conditions 10.3 and 10.4 will result in major redesign of the approved building. With respect to condition 11.9, the applicant is seeking a rewording of this condition.

**BACKGROUND:**

Date	Comment
5 December 2006	The Council at its Ordinary Meeting conditionally approved a development application for proposed mixed-use development comprising offices and fourteen (14) grouped dwellings at Nos. 296-306 Lord Street, Highgate
16 June 2008	The Western Australian Planning Commission conditionally approved the amalgamation of No. 288 (Lot 123; D/P: 4540) and Nos. 296-306 (Lots 1-4; D/P: 1197) Lord Street, corner of Windsor Street, Highgate; which was subsequent endorsed on 11 February 2011.
24 March 2009	The Council at its Ordinary Meeting conditionally approved a development application for proposed demolition of existing corner shop and attached single house at No. 288 Lord Street, Highgate.
14 April 2009	The Council at its Ordinary Meeting conditionally approved the construction of a five-storey commercial development comprising offices, eating house and basement car parking at Nos. No. 288 (Lot 123; D/P: 4540), Nos. 296-306 (Lots 1-4; D/P: 1197) Lord Street, corner of Windsor Street, Highgate.
27 September 2011	The Council at its Ordinary Meeting refused a development application for proposed construction of a six-storey mixed use development comprising thirty-five (35) single bedroom multiple dwellings, thirty-eight (38) multiple dwellings, one (1) shop (deli), five (5) offices and associated basement car parking at No. 298 Lord Street, Highgate.
28 February 2012	The Council at its Ordinary Meeting conditionally approved a development application for proposed construction of a six-storey mixed use development comprising thirty-two (32) single bedroom multiple dwellings, thirty-six (36) multiple dwellings, one (1) shop (deli), five (5) offices and associated basement car parking – State Administrative Tribunal (SAT) DR 351 of 2011 at No. 298 Lord Street, Highgate.
11 June 2013	The Council at its Ordinary Meeting conditionally approved amendment from construction of six-storey mixed use development comprising thirty-two (32) single bedroom multiple dwellings, thirty-six (36) multiple dwellings, one (1) shop, five (5) offices and associated basement car parking to construction of six-storey mixed use development comprising twenty-six (26) single bedroom multiple dwellings, forty-two (42) multiple dwellings, one (1) shop, four (4) offices and associated car parking.

**DETAILS:**

<b>Landowner:</b>	300 Lord St Pty Ltd (JNI Developments & Others)
<b>Applicant:</b>	Rowe Group
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Vacant site ( the applicant is undertaking the forward works for this development)
<b>Use Class:</b>	Multiple Dwelling, Shop and Office
<b>Use Classification:</b>	"AA", "P" and "P"
<b>Lot Area:</b>	2162 square metres
<b>Right of Way:</b>	South-eastern side, 4.52 metres wide, sealed.

This application is for reconsideration of three (3) conditions of approval to the development approved by Council at its Ordinary Meeting held on 11 June 2014.

The Minutes of Item 9.1.2 from the Ordinary Meeting of Council held on 11 June 2013, relating to this report are available on the City's website at the following link:

[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes/Minutes\\_2013](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes/Minutes_2013)

**ASSESSMENT:**

Not applicable as the proposal is for reconsideration of conditions which do not have an impact on the design of the proposed building.

**CONSULTATION/ADVERTISING:**

Clause 8.3 of Policy No.4.1.5 specifies the following:

**"8.3 RE-ADVERTISING**

*Development applications for development which were previously advertised within the past 12 months and subsequently approved by the City, and are not significantly different or do not involve further variation to the development requirements to the previous application, do not require notification or consultation."*

The application was received on 22 May 2014 which is less than 12 months from the Council approval (11 June 2013) and is not different from the approved plans. The reconsideration of the three conditions will not have an impact on the amenity of the area. In this instance, the application was not advertised.

**Design Advisory Committee:**

Referred to Design Advisory Committee: No as the development application is for reconsideration of conditions of approval only.

**LEGAL/POLICY:**

The following legislation and policies apply to the amendment from construction of six-storey mixed use development comprising thirty-two (32) single bedroom multiple dwellings, thirty-six (36) multiple dwellings, one (1) shop, five (5) offices and associated basement car parking to construction of a six-storey mixed use development comprising twenty-six (26) single bedroom multiple dwellings, forty-two (42) multiple dwellings, one (1) shop, four (4) offices and associated car parking (reconsideration of conditions) at No. 298 Lord Street, Corner of Windsor Street, Highgate:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes of Western Australia 2013;
- Banks Precinct Policy No. 7.1.15;
- Residential Design Elements Policy No. 7.2.1;
- Development Guidelines for Commercial and Mixed-Use Developments Policy No. 7.5.12.
- Percent for Public Art Policy No. 7.5.13;
- Shopfronts and Front Facades to Non-Residential Buildings Policy No. 3.5.15;
- Sound Attenuation Policy No. 7.5.21;
- Construction Management Plans Policy No. 7.5.23; and
- Parking and Access Policy No. 7.7.1.

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

"Natural and Built Environment

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

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

<b>ENVIRONMENTAL</b>	
<b>Issue</b>	<b>Comment</b>
The design of the building provides for adequate light and ventilation to the dwellings.	
The development consists predominantly of a non-permeable surface. As there are limited permeable surfaces, stormwater management is important.	
<b>SOCIAL</b>	
<b>Issue</b>	<b>Comment</b>
The proposal provides for access to a wider range of services to the local community and an increase in housing diversity within the City.	

ECONOMIC	
Issue	Comment
The construction of the building will assist in creating short term employment opportunities. In addition, the proposed shop and offices will facilitate business development within the City, as it provides the potential for new businesses to invest, whilst also creating job opportunities within the locality.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

Conditions 10.3 and 11.10 are as follows:

**“10.3 Energy Efficiency**

*The development is to meet the following minimum Environmentally Sustainable Design (ESD) requirements in respect of each stage:*

*10.3.1 PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City: The design of the proposed commercial components are to be certified by the Green Building Council of Australia as a 5-Star Green Star Office Design v3 rating (or the latest version of this tool at commencement of the project); and*

*10.3.2 PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City: The design of the proposed residential component is to be certified by the Green Building Council of Australia as a 4-Star Green Star Multi Unit Residential Design v1 rating (or the latest version of this tool at commencement of the project);*

**11.10 Energy Efficiency**

*11.10.1 PRIOR TO THE FIRST OCCUPATION OF THE BUILDING, the following shall be completed to the satisfaction of the City: The office building construction, on practical completion, is to be independently assessed by a suitable Green Star Accredited Professional appointed by the City, at the applicant's cost. The independent assessment is to include assessment of a full set of As Built drawings, with all results reported to the City as proof that construction met or exceeded the previously certified Green Building Council of Australia, 5-Star Green Star Office Design v3 rating (or the latest version of this tool at the time of certification), as required by Condition 10.3.1; and*

*11.10.2 PRIOR TO THE FIRST OCCUPATION OF THE BUILDING, the following shall be completed to the satisfaction of the City: The residential component of the construction, on practical completion, is to be independently assessed by a suitable Green Star Accredited Professional appointed by the City, at the applicant's cost. The independent assessment is to include assessment of a full set of As Built drawings, with all results reported to the City as proof that construction met or exceeded the previously certified Green Building Council of Australia 4-Star Green Star Multi Unit Residential Design v1 rating (or the latest version of this tool at the time of certification), as required by Condition 10.3.2;”*

Applicant's Submission:

The applicant states that if the proposed development is required to comply with the above requirements, it would result in major redesign of the building which will not comply with the current approval. Copy of applicant's letter is attached.

City's Sustainability Officer Response:

The City's Officer agrees that compliance with the applicable 4 Star and 5 Star Green Star ratings will have a significant impact on the design of the building. The City's expectation for the development at No.298 Lord Street, Perth (in line with Policy No. 7.5.11 relating to Exercise of Discretion for Development Variations) is that the development will incorporate sustainable design features significantly exceeding the statutory sustainability requirements set out within the Building Council of Australia's (BCA) National Construction Codes (NCC).

The sustainability report that has been submitted by the applicant in support of the request for reconsideration of conditions sets out the ways in which the above expectation will be met and quantifies the sustainability performance improvements to be achieved.

The comments in relation to the sustainability report for No.298 Lord Street, Perth, submitted as part of this application are as follows:

- The Green Building Council of Australia's (GBCA's) Multi Unit Residential Green Star rating tool was used to benchmark the sustainability measures incorporated into the design of this development – this is considered appropriate and acceptable;
- A Green Star accredited professional was engaged to undertake the above benchmarking and report preparation – this is considered appropriate and acceptable.

Given the above, to satisfy Policy No.7.5.11 relating to Exercise of Discretion for Development Variations with regard to sustainable design features within the development, it is recommended that the development is to meet the following minimum Environmentally Sustainable Design (ESD) requirements:

- Specific sustainability features and processes to be incorporated into the design and construction of this development, and the corresponding performance improvements are summarised below:
  - Energy: Additional insulation, increased natural ventilation and restricted air conditioning are expected to result in a 10-15 per cent reduction in operational energy use by apartments;
  - Water: Maximum WELS rated tap ware, toilets and showers are expected to result in a 25 per cent reduction in operational water use by apartments; and
  - Construction waste: ISO14001 accredited environmental management processes are expected to reduce building construction waste by 80 per cent.
- Measured against the GBCA's Multi Unit Residential Green Star rating tool, the proposed development would achieve a score of 39 (6 points short of the score needed for a Four Star /Best Practice rating). Compared to the statutory requirements set out in the NCC, this would still be considered a significant improvement and therefore in compliance with the City's expectations.

In view of the above, Condition 10.3 is amended and Condition 11.10 is deleted as follows:

~~“10.3 Energy Efficiency~~

~~The development is to meet the following minimum Environmentally Sustainable Design (ESD) requirements in respect of each stage:~~

~~10.3.1 PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City: The design of the proposed commercial components are to be certified by the Green Building Council of Australia as a 5-Star Green Star Office Design v3 rating (or the latest version of this tool at commencement of the project); and~~

~~10.3.2 PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City: The design of the proposed residential component is to be certified by the Green Building Council of Australia as a 4-Star Green Star Multi Unit Residential Design v1 rating (or the latest version of this tool at commencement of the project);~~

10.3 Sustainability

The development is to meet the following minimum Environmentally Sustainable Design (ESD) requirements:

10.3.1 The final design submitted for the Building Permit approval is to achieve a ten (10) per cent or greater reduction in energy use for apartments beyond that mandated by the statutory requirements of the National Construction Codes of Australia and is to be accompanied by an ESD report demonstrating how this reduction is to be achieved;

10.3.2 The final design submitted for Building Permit approval must incorporate the highest WELS rated tap ware, toilets and showers throughout the development and be accompanied by a list of all proposed fittings and their WELS ratings;

10.3.3 The final design submitted for the Building Permit approval must be accompanied by evidence of engagement of an ISO14001 accredited waste management contractor and a waste management plan demonstrating how eighty (80) per cent or more of the construction waste resulting from the development will be recycled; and

10.3.4 The final design submitted for Building Permit approval must be accompanied by an updated Green Star Performance Report confirming that the final design achieves a minimum of 39 weighted points against the current Multi Unit Residential rating tool as previously submitted to the City.

~~11.10 Energy Efficiency~~

~~11.10.1 PRIOR TO THE FIRST OCCUPATION OF THE BUILDING, the following shall be completed to the satisfaction of the City: The office building construction, on practical completion, is to be independently assessed by a suitable Green Star Accredited Professional appointed by the City, at the applicant's cost. The independent assessment is to include assessment of a full set of As-Built drawings, with all results reported to the City as proof that construction met or exceeded the previously certified Green Building Council of Australia, 5-Star Green Star Office Design v3 rating (or the latest version of this tool at the time of certification), as required by Condition 10.3.1; and~~

~~11.10.2 PRIOR TO THE FIRST OCCUPATION OF THE BUILDING, the following shall be completed to the satisfaction of the City: The residential component of the construction, on practical completion, is to be independently assessed by a suitable Green Star Accredited Professional appointed by the City, at the applicant's cost. The independent assessment is to include assessment of a full set of As Built drawings, with all results reported to the City as proof that construction met or exceeded the previously certified Green Building Council of Australia 4-Star Green Star Multi Unit Residential Design v1 rating (or the latest version of this tool at the time of certification), as required by Condition 10.3.2;"~~

Condition 11.9 is as follows.

**“11.9 Clothes Drying Facility**

*Prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or an adequate communal drying area to be incorporated into the development in accordance with Clause 7.4.7 “Essential Facilities” A7.3 of the Residential Design Codes;”*

Applicant's Submission:

*“The above condition requires each multiple dwelling to include a screened outdoor area for clothes drying or otherwise a communal drying area to be incorporated within the development. This is inconsistent with Condition 26 of the approval within the section “Environmental Health Specific Requirements” which, amongst other things, states that the laundry for each multiple dwelling must be provided with not less than 20 metres of clothes line or an electrically powered clothes drying unit.*

*It is requested that this condition be reworded as follows:*

*11.9 Prior to the first occupation of the development, the laundry within each multiple dwelling shall be provided with not less than 20 metres of clothes line or an electrically powered clothes drying unit;”*

City's Officer Response:

The City's Environmental Health Services advised that the clothes line can be located in other parts of the building and is not restricted to laundry only. Moreover, there is no communal clothes drying area provided for this development and therefore each unit will have to provide its own drying area. Electric powered clothes dryer is an alternative if no unit is provided with drying clothes area. However, it has been an acceptable practice if at Building Permit the plans show electric powered unit it is considered as acceptable and there is no need to condition this requirement at planning stage. However, the City has always requested as condition of approval for the clothes-drying areas being screened from view from the primary or secondary street as per Residential Design Codes 2013. Therefore Condition 11.9 is amended to read as follows:

**“11.9 Clothes Drying Facility**

~~*Prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or an adequate communal drying area to be incorporated into the development in accordance with Clause 7.4.7 “Essential Facilities” A7.3 of the Residential Design Codes;”*~~

*Each multiple dwelling shall be provided with drying facilities in accordance with the Residential Design Codes of WA 2013;*

**Conclusion**

In light of the above, the amendments/deletion to the conditions will not have an impact on the amenity of the area and the proposal will be able to meet the sustainable design requirements of the City. In this instance, the proposal is recommended for approval, subject to amendments to Conditions 10.3, 11.9 and deletion of Condition 11.10 subject to all other conditions and requirements and advice notes detailed in the letter of approval dated 24 June 2013 shall remain.

**9.1.3 No. 21 – 23 (Lot: 10 D/P: 1028) Simpson Street, West Perth – Change of Use from Warehouse to Office/Private Cinema (unlisted use)**

<b>Ward:</b>	South	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Mount Hawthorn Centre; P2	<b>File Ref:</b>	PRO6331; 5.2014.142.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report <a href="#">002</a> – Development Application Plans and Additional Information		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	C Sullivan, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by J Dover on behalf of the owner Buzz Property Fund Pty Ltd for Proposed Change of Use from Warehouse to Office and Private Cinema (unlisted use) at No.21 - 23 (LOT: 10 D/P: 1028) Simpson Street, West Perth, and as shown on plans stamp-dated 26 March 2014 subject to the following conditions:

1. **Building**

1.1 The windows, doors and adjacent floor area facing Simpson Street shall maintain an active and interactive frontage to this street with clear glazing provided;

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

2.1 **Refuse Management Plan**

A Refuse and Recycling Management Plan shall be submitted and approved by the City. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.

Revised plans and details shall be submitted demonstrating a bin compounding being provided in accordance with the City's Health Services Specifications; and

2.2 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development;

3. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT**, the following shall be submitted to and approved by the City:

3.1 **Management Plan**

A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained;

**3.2 Bicycle Parking Facilities**

One Class three (3) bicycle bay shall be provided at a location convenient to the entrance of the proposed office and private cinema. Details of the design and layout of bicycle parking facilities shall be submitted to and approved by the City prior to the installation of such facility;

4. The provision of at least five (5) carparking bays required for No.21-23 Simpson Street, West Perth to be provided on No. 1 Drummond Place, West Perth. The carparking bay shall not be used for reciprocal carparking with or for any adjoining property. A legal agreement between the two parties should be signed to ensure this in perpetuity;
5. The development is to comply with all Building, Health and Engineering and Parks Services conditions and requirements to the satisfaction of the City's Acting Chief Executive Officer.

**ADVICE NOTES:**

1. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
2. 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(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Simpson Street;
3. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage; and

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**COUNCIL DECISION ITEM 9.1.3**

**Moved Cr Topelberg, Seconded Cr McDonald**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)

(Cr Wilcox was on approved leave of absence.)

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**PURPOSE OF REPORT:**

The proposal is referred to the Council for determination as the proposal results in a car parking shortfall of more than 5 car parking bays.

**BACKGROUND:**

The property comprises two attached properties, originally residential in nature. In 1988, approval was granted for the two properties to operate as one warehouse with ancillary office area.

Date	Comment
28 September 1988	The City of Perth granted planning approval for a change of use from residential to warehouse with ancillary office

**DETAILS:**

<b>Landowner:</b>	Buzz Property Fund Pty Ltd
<b>Applicant:</b>	J Dover
<b>Zoning:</b>	Commercial
<b>Existing Land Use:</b>	Warehouse
<b>Use Class:</b>	'P'
<b>Use Classification:</b>	Office and Private Cinema (unlisted use)
<b>Lot Area:</b>	253 square metres
<b>Right of Way:</b>	N/A

The proposal seeks a change of use from warehouse with ancillary office to office and private cinema. The applicant has an existing operational business in Melbourne, Victoria known as The Backlot Studios. The proposal seeks approval for a similar operation in Perth. However the Simpson Street proposal would not include the option for events and parties, etc as the one in Melbourne does. The Perth proposal would be based on a corporate customer base to provide a presentation space with associated lobby and bar area. The proposal would only be available to be booked in its entirety by pre-arrangement only. Members of the public would not be able to just turn up.

The proposal comprises two interconnected businesses to operate from the premises. The first would be a marketing consultancy (Buzz Marketing who are currently located on Vincent Street in Leederville) on the first floor of the application site operating 9am – 5pm Monday to Friday mainly as an office function. The second would be to provide a private corporate presentation room on the ground floor level where marketing concepts, client products, campaign launches, presentations etc would operate from the on-site presentation/cinema room. The two businesses are owned by the same people, but would operate independently.

The proposed private corporate presentation element would operate on a booking system and would operate only as required by pre-booked clients. This could fall between the normal opening hours of 9am – 5pm Monday to Friday or out of hours between 8am to 11pm Monday to Sunday.

The anticipated number of staff would be as per the existing business operation, maximum of 7 staff at any one time. The private presentation room would be fitted with 50 seats, with a maximum capacity of 50 persons for any one event. The applicant expects the average number of persons attending any event to be between 10-15 persons.

**ASSESSMENT:**

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

<b>Design Element</b>	<b>Complies 'Deemed-to-Comply' or TPS Clause</b>	<b>OR</b>	<b>'Design Principles' Assessment or TPS Discretionary Clause</b>
<b>Density/Plot Ratio</b>	N/A		
<b>Streetscape</b>	N/A		
<b>Front Fence</b>	N/A		
<b>Front Setback</b>	N/A		
<b>Building Setbacks</b>	N/A		
<b>Boundary Wall</b>	N/A		
<b>Building Height</b>	N/A		
<b>Building Storeys</b>	N/A		
<b>Open Space</b>	N/A		
<b>Bicycles</b>			✓
<b>Access &amp; Parking</b>			✓
<b>Privacy</b>	N/A		
<b>Solar Access</b>	N/A		
<b>Site Works</b>	N/A		
<b>Essential Facilities</b>	N/A		
<b>Surveillance</b>	N/A		

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

### Use

The Cleaver Precinct Policy No.7.1.5 states that the application site is located within a Commercial Zone South of Newcastle Street. In relation to acceptable uses, it is in accordance with the Commercial Zone of the Zoning table in TPS No.1. An office in this location is a 'P' use, and a Cinema/Commercial Hall is also a 'P' use.

The Cleaver Precinct Policy No.7.1.5 also states 'retention and adaptive re-use of these buildings is encouraged in new developments'. The proposal seeks the change of use of an older building (originally residential, most recently warehouse).

### Hours of operation

The Buzz Marketing business (office) proposes to operate Monday to Friday 9am to 5pm.

The proposed private corporate presentation element (Backlot Studios) would operate on a booking system and would operate only as required by pre-booked clients. This could fall between the normal opening hours of 9am – 5pm Monday to Friday or out of hours between 8am to 11pm Monday to Sunday.

### Car Parking

The existing warehouse has one car bay located behind double doors on the ground floor of the warehouse. However, the proposed change of use application would remove this car parking bay as it is located within the building and the application proposes to replace the vehicle access with pedestrian access. There is insufficient space within the front setback area to accommodate or maneuver any vehicles. The proposal does not provide for any car parking bays.

The site is located within an area of the City of Vincent that previously fell under the City of Perth, and as such the City of Perth Parking and Access Policy applies. The City of Perth policy does not differentiate between different uses, and therefore parking requirements are calculated based on the category of the street and the site area at a maximum parking requirement.

The City of Perth Parking and Access Policy states that the desirable allowance for a property with a lot size of 253 square metres on a category 4 street is 5.06 car parking bays. A minimum car parking number is not required.

However, notwithstanding the above maximum parking standards, the applicant has proposed an arrangement with the lot on the opposite side of Simpson Street (1 Drummond Place) to allow clients of the application site to access off road car parking. If the proposal is supported, a condition should be applied to require the applicant to implement some sort of legal agreement to ensure continuation of this agreement.

### Bicycle Parking

The City of Perth Parking and Access Policy has a requirement of a minimum of 1 bicycle bay per 500 square metres of floor area of a non residential building.

The total floor area of the property is 272 square metres.

0.544 bicycle bays are required. A condition requiring the provision of 1 bicycle bay should be applied.

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Consultation Period	23 May 2014 – 6 June 2014		
Comments received	No comments received during the consultation period		

**Design Advisory Committee:**

Referred to Design Advisory Committee: No

Summary of Design Advisory Committee Comments:

- Not applicable.

**LEGAL/POLICY:**

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Cleaver Precinct Policy No. 7.1.5;
- Development Guidelines for Commercial and Mixed Use Developments Policy No. 7.5.12;
- City of Perth Parking and Access Policy

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

*Natural and Built Environment*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

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

<b>ENVIRONMENTAL</b>
The adaptive re-use of this existing space has a lower environmental impact compared to the existing building.
<b>SOCIAL</b>
The development will act as a social meeting place location providing a variety of food and beverage for the immediate and surrounding public.
<b>ECONOMIC</b>
The development will provide increased employment opportunities.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

**Building Services provide the following comments:**

- Building Permit required for fit out to current BCA requirements.
- Occupancy Permit required for change of class to current BCA requirements
- Private Certification required
- Proposal to comply with AS14628 – Design for access and mobility under D3.5 of the BCA, 1 accessible car bay required for proposed development

**Health Services**

Standard Conditions Apply

**Technical Services**

A bin store is to be provided to accommodate the maximum number of bins for the usage of the development with an area for the bins to be washed down that is connected to the sewer and has a clear path of travel to Simpson Street for collection

**Planning Services**

The application site is located within a Commercial Area of the Cleaver Precinct. The proposal is for part office (first floor) and at the ground floor level, a private corporate presentation room on the ground floor level where marketing concepts, client products, campaign launches, presentations etc would operate from the on-site presentation/cinema room.

Both proposed uses fall into the "P" or permitted use in this location. The Car Parking is in accordance with the City of Perth Parking and Access Policy.

The proposal does not provide any bicycle parking bays, but this provision can be controlled by the addition of a condition.

**CONCLUSION:**

It is considered that the proposed use of an office and private cinema would be appropriate in this location. In this instance, whilst no car parking is provided on site, the site is located within the City of Perth maximum parking standards area, and therefore the proposal could be supported as there would be no increased requirement over the existing use.

For the reasons outlined above, the proposal is recommended for approval

**9.1.4 Nos. 308 - 310 (Lots 1 & 2; D/P 1283) Oxford Street, Leederville - Proposed Demolition of Existing Dwelling and Construction of Two (2) Storey Multiple Dwelling Development Comprising Fourteen (14) Multiple Dwellings and Associated Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Leederville, P3	<b>File Ref:</b>	PRO6211; 5.2013.602.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant Report		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Acting Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	P Mrdja, Acting Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by M Carbone Design on behalf of the owners, Cape Q Nominees, for Proposed Demolition of Existing Dwellings and Construction of Two (2) Storey Multiple Dwelling Development Comprising Fourteen (14) Multiple Dwellings and Associated Car Parking at Nos. 308 - 310 (Lots 1 & 2; D/P 1283) Oxford Street, Leederville and as shown on amended plans stamp-dated 9 June 2014 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. 312 Oxford Street, Leederville in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;

**2. On-Site Parking**

A minimum of Eleven (11) residential car bays and Four (4) Visitor Car Bays, are to be provided on site for the development;

**3. Car Parking and Accessways**

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

3.2 Car parking aisles shall comply with the minimum width in accordance with the requirements of AS2890.1;

3.3 Visual Truncations to comply with the City's Visual Truncation requirements at the exit of parking area onto the right-of-way; and

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

**4.1 Landscape and Reticulation Plan**

A detailed landscape and reticulation plan in accordance with the requirements of the Multiple Dwelling Policy 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:

- 4.1.1 A minimum of 30% or 364 square metres of the total site area to be provided with landscaping;
- 4.1.2 A minimum of 10% or 121.4 square metres of the total site area (common areas) to be provided with landscaping;
- 4.1.3 A minimum of 5% or 60.7 square metres of the total site area (private courtyard areas) to be soft landscaped;
- 4.1.4 The location and type of existing and proposed trees and plants;
- 4.1.5 All vegetation including lawns;
- 4.1.6 Areas to be irrigated or reticulated;
- 4.1.7 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 4.1.8 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

The Council encourages landscaping methods and species selection which do not rely on reticulation; and

All such works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

**4.2 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development;

**4.3 Construction Management Plan**

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

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

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

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

4.4.2 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the multiple dwellings. The on-site car parking was in accordance with the requirements of the Residential Design Codes, the City's Policy No. 7.7.1 relating to Parking and Access.

This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;

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

5.1 Car Parking

The car parking area(s) 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;

5.2 Residential Bicycle Bays

A minimum of five (5) bicycle bay for residents and two (2) visitor bay for visitors to be provided on-site. Bicycle bay must be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facility shall be designed in accordance with AS2890.3; and

6. The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City.

ADVICE NOTES:

1. 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(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street;
2. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
3. 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;
4. Structures including walls, fencing, retaining and any proposed landscaping within 1.5 metres of a driveway meeting a property boundary must comply with the requirements for visual truncation, being that anything above 0.65 metres in height is to have a minimum visual permeability of 50 percent, with the exception of a single pier which may not exceed 355mm in width; and
5. A demolition permit shall be obtained from the City prior to commencement of any works on the site.

**Moved Cr Peart, Seconded Cr Cole**

That the recommendation be adopted.

Debate ensued.

Cr Pintabona departed the Chamber at 6.40pm.

Debate ensued.

Cr Pintabona returned to the Chamber at 6.41pm.

Debate ensued.

**AMENDMENT**

**Moved Cr Peart, Seconded Cr Buckels**

“That a new Clause 7 be inserted to read as follows:

**7. the two (2) car bays closest to the street be deleted and the area be landscaped.”**

**AMENDMENT PUT AND CARRIED (6-1)**

**For:** Presiding Member Deputy Mayor Harley, Cr Buckels, Cr Cole, Cr McDonald,  
Cr Peart and Cr Topelberg

**Against:** Cr Pintabona

(Mayor Carey was on approved leave of absence.)

(Cr Wilcox was on approved leave of absence.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)

(Cr Wilcox was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.1.4**

That the Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by M Carbone Design on behalf of the owners, Cape Q Nominees, for Proposed Demolition of Existing Dwellings and Construction of Two (2) Storey Multiple Dwelling Development Comprising Fourteen (14) Multiple Dwellings and Associated Car Parking at Nos. 308 - 310 (Lots 1 & 2; D/P 1283) Oxford Street, Leederville and as shown on amended plans stamp-dated 9 June 2014 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. 312 Oxford Street, Leederville in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;

2. **On-Site Parking**

A minimum of Eleven (11) residential car bays and Four (4) Visitor Car Bays, are to be provided on site for the development;

3. **Car Parking and Accessways**

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

3.2 Car parking aisles shall comply with the minimum width in accordance with the requirements of AS2890.1;

3.3 Visual Truncations to comply with the City's Visual Truncation requirements at the exit of parking area onto the right-of-way; and

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

4.1 **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan in accordance with the requirements of the Multiple Dwelling Policy 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:

4.1.1 A minimum of 30% or 364 square metres of the total site area to be provided with landscaping;

4.1.2 A minimum of 10% or 121.4 square metres of the total site area (common areas) to be provided with landscaping;

4.1.3 A minimum of 5% or 60.7 square metres of the total site area (private courtyard areas) to be soft landscaped;

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

4.1.5 All vegetation including lawns;

4.1.6 Areas to be irrigated or reticulated;

4.1.7 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and

4.1.8 Separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

The Council encourages landscaping methods and species selection which do not rely on reticulation; and

All such works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

**4.2 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development;

**4.3 Construction Management Plan**

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

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

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

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

4.4.2 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the multiple dwellings. The on-site car parking was in accordance with the requirements of the Residential Design Codes, the City's Policy No. 7.7.1 relating to Parking and Access.

This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;

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

**5.1 Car Parking**

The car parking area(s) 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;

**5.2 Residential Bicycle Bays**

A minimum of five (5) bicycle bay for residents and two (2) visitor bay for visitors to be provided on-site. Bicycle bay must be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facility shall be designed in accordance with AS2890.3; and

6. The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City.

7. the two (2) car bays closest to the street be deleted and the area be landscaped."

**ADVICE NOTES:**

1. 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(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street;
2. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;
3. 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;
4. Structures including walls, fencing, retaining and any proposed landscaping within 1.5 metres of a driveway meeting a property boundary must comply with the requirements for visual truncation, being that anything above 0.65 metres in height is to have a minimum visual permeability of 50 percent, with the exception of a single pier which may not exceed 355mm in width; and
5. A demolition permit shall be obtained from the City prior to commencement of any works on the site.

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**PURPOSE OF REPORT:**

The proposal is referred to the Council for determination, given the proposal is for multiple dwellings.

**BACKGROUND:**

Nil.

**DETAILS:**

<b>Landowner:</b>	Cape Q Nominees
<b>Applicant:</b>	M Carbone Design
<b>Zoning:</b>	Residential R60
<b>Existing Land Use:</b>	Residential
<b>Use Class:</b>	"P"
<b>Use Classification:</b>	Multiple Dwellings
<b>Lot Area:</b>	1214 square metres
<b>Right of Way:</b>	Not Applicable

The proposed application is for the Demolition of Existing Dwelling and Construction of Two (2) Storey Multiple Dwelling Development, Comprising Fourteen (14) Multiple Dwellings and Associated Car parking.

**ASSESSMENT:**

**Town Planning Scheme/Residential Design Codes Assessment**

Design Element	Complies 'Deemed to Comply' or TPS Clause	OR	'Design Principles' Assessment or TPS Discretionary Clause
Plot Ratio			✓
Streetscape	✓		
Roof Forms			✓
Street Walls and Fencing	✓		
Street Setback			✓
Landscaping			✓
Lot Boundary Setbacks	✓		
Building Height/ Number of Storeys	✓		
Open Space	✓		
Bicycles	✓		
Access & Parking	✓		
Privacy	✓		
Solar Access	✓		
Site Works	✓		
Utilities & Facilities	✓		
Surveillance			✓

**Note:** *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

**Town Planning Scheme/Residential Design Codes Assessment**

Issue/Design Element:	Plot Ratio
Requirement:	<del>Residential Design Codes Clause 6.1.1</del> Plot ratio: 0.7 (849.8) square metres)
Applicants Proposal:	Plot ratio: 0.71 (851.8) square metres)
Design Principles	<del>Residential Design Codes Clause 6.1.1 P1</del> Development of the building is at a bulk and scale indicated in the local planning scheme and is consistent with the existing or future desired built form of the locality.
Applicant justification summary:	<del>"A minor (2.0m<sup>2</sup>) variation to the plot ratio is proposed. The proposed two storey height is entirely consistent with the City's Policy framework.</del>  <del>The development is entirely consistent with the City's vision for Oxford Street (north) as an important activity corridor. As outlined in the draft TPS No. 2 and Leederville Precinct Policy, a maximum ground floor plot ratio of 0.5 and upper floors plot ratio of 1.25 will apply (A total plot ratio of 1.75). As such, the proposed development is entirely consistent with the future desired built form of the locality.</del>
Officer technical comment:	Supported. The proposed plot ratio provides for a minor variation of 2.0 square metres to the required plot ratio. It is considered the overall scale of the development at a height of two storeys is consistent with the existing and desired scale of Oxford Street.

**Note:** *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

Issue/Design Element:	Roof Forms
Requirement:	<b>Residential Design Elements Policy 7.2.1 SADC</b> The use of roof pitches between 30 degrees and 45 degrees (inclusive) being encouraged
Applicants Proposal:	Flat roof proposed
Design Principles	<b>Residential Design Elements Policy 7.2.1 SPC</b> (i) Street Walls and fences are to be designed so that: <ul style="list-style-type: none"> <li>• buildings, especially their entrances, are clearly visible from the primary street;</li> <li>• a clear line of demarcation is provided between the street and development;</li> <li>• they are in keeping with the desired streetscape; and</li> <li>• provide adequate sightlines at vehicle access points.</li> </ul>
Applicant justification summary:	<i>“A skillion roof is proposed. This is in keeping with the contemporary design of the proposed development and reflects the design of the recently built and proposed developments along the Oxford Street activity corridor.”</i>
Officer technical comment:	Supported. The proposed roof pitch reduces the scale and height of the proposed development and limits the bulk of the building to the adjoining residential properties.

Issue/Design Element:	Street Setbacks
Requirement:	<b>Residential Design Elements SADC 5</b> Lower Floor An average of Five (5) Properties Either Side of Subject Lot – 5.85 metres Upper Floors A minimum of two metres behind each portion of the ground floor setback. - Upper Floors – 7.85 metres - Balcony – 6.85 metres
Applicants Proposal:	Ground Floor - Ground Floor - 5.084 metres Upper Floor Balcony – 5.084 metres Upper Floor – 8.074 metres
Design Principles	<b>Residential Design Elements SPC 5</b> Development is to be appropriately located on site to: <ul style="list-style-type: none"> <li>• maintain streetscape character;</li> <li>• ensure the amenity of neighbouring properties is maintained;</li> <li>• allow for the provision of landscaping and space for additional tree plantings to grow to maturity;</li> <li>• facilitate solar access for the development site and adjoining properties;</li> </ul>
	<ul style="list-style-type: none"> <li>• protect significant vegetation; and</li> <li>• facilitate efficient use of the site.</li> </ul> <p>Variations to the Deemed to Comply Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>

Issue/Design Element:	Street Setbacks
	<p><i>The revised plans indicate the provision of landscaping and space for additional tree plantings to grow to maturity.</i></p> <p><i>Overall, the building design uses a range of materials and finishes, and exhibits significant articulation to the street frontages. It is considered that these elements mitigate the impact of building bulk, and the proposed development will have significant positive impacts on the streetscape and amenity of the surrounding properties.</i></p> <p><i>In light of the above, it is submitted the proposed street setbacks, and associated perceived bulk and scale, are appropriate in the site context, and therefore satisfy the relevant planning criteria regarding street setbacks in the context of the future desired character for Oxford Street as an activity corridor.</i></p>
Officer technical comment:	<p>Supported. It is considered that this side (eastern) of Oxford Street is in transition with a number of new developments likely to be constructed in the short term. These newer developments will likely be more orientated and interact better with the street than the existing residential buildings. The upper storeys are considered to be well articulated and present a well finished appearance with good surveillance of the street. In addition landscaping is provided along the street frontage of the property to soften the appearance of the building to the street.</p>

Issue/Design Element:	Landscaping
Requirement:	<p><b>Multiple Dwellings Policy 7.4.8 Clause 4.2</b> A minimum of 30 percent of the total site area is to be provided as landscaping (364.2 m<sup>2</sup>). A minimum of 10 percent of the total site area shall be provided as soft landscaping within the common property area of the development (121.4m<sup>2</sup>).</p>
Applicants Proposal:	<p>14.71 (178.56m<sup>2</sup>) <del>20.10%</del> (244.04m<sup>2</sup>) percent of the total site area is provided as landscaping.</p> <p>9.04 (109.79m<sup>2</sup>) percent of the total site area is provided as soft landscaping within the common property area of the development.</p>
Design Principles	<p><b>Multiple Dwellings Policy 7.4.8 Clause 4.2</b> P2</p>
	<ul style="list-style-type: none"> <li>• Assists in contributing to the amenity of the locality.</li> <li>• Assists in providing a landscaped setting for the building.</li> <li>• Assists in the protection of mature trees.</li> <li>• Maintains a sense of open space between buildings.</li> <li>• Assists in increasing tree and vegetation coverage.</li> </ul>

Issue/Design Element:	Landscaping
Applicant justification summary:	<p><i>"The enclose revised plans depict the following:</i></p> <p><i><del>14.71% (178.56m<sup>2</sup>)</del> <u>20.10% (244.04m<sup>2</sup>)</u> of the total site area is provided as landscaping.</i></p> <p><i>9.04% (109.79m<sup>2</sup>) of the total site area is provided as soft landscaping within the common property area of the development.</i></p> <p><i>5.66% (68.77m<sup>2</sup>) of the total site area is provided as soft landscaping within the common property and private outdoor living areas is sufficient. Whilst the provision of landscaping overall does not meet the deemed-to-comply requirement of the City's Multiple Dwelling Policy, the proposed development provides for the planting of additional trees on the front and side (southern) setback areas, as well as vertical plantings as indicated on the revised plans.</i></p> <p><i>Balconies to each dwelling provide active habitable spaces that satisfy the R-Codes requirements for outdoor living areas. In the context of an inner city urban environment this level of provision of open space is considered appropriate. Future residents will further benefit from the Brentham Street reserve located less than 100 metres west of the proposed development. Should future residents desire vegetation on their balconies, it is open to them to place potted plants as they may wish.</i></p> <p><i>In light of the above, it is submitted that the landscaping and open space incorporated into the design of the proposed development is entirely compliant with the R-Codes and City's Planning Policies.</i></p>
Officer technical comment:	<p><i>Supported in part. The applicant has provided amended plans to attempt to meet the required landscaping across the site. These amended plans have provided additional landscaping along the southern elevation in the form of vertical landscaping for vine to grow.</i></p> <p><i>A condition is included for the applicant to provide the remaining landscaping across the site. This could be achieved through the integration of further green walls to the rear along the northern/southern and eastern boundaries. In addition given there is a car bay surplus on-site, the area to the front of the property where there is currently visitor car parking bays, these could be removed and replaced with landscaping. If two (2) of these bays were removed an additional twenty-five (25) square metres could be added to the overall landscaping and the soft landscaping on-site. This would allow for compliance with the soft landscaping requirements (134.79 square metres) and an increase to the overall landscaping to 203.76 square metres.</i></p> <p><i><u>The applicant has provided amended plans to address the above by providing green walls to the eastern, southern and northern boundaries. The total landscaping provided is <u>20.10% (244.04m<sup>2</sup>)</u>.</u></i></p>

**Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.**

Issue/Design Element:	Energy Efficiency
Requirement:	<p><b>Multiple Dwelling Policy 7.4.8 Clause 5.1.1</b> Multiple Dwelling developments are required to be designed so that the dwellings within the development maximise northern sunlight to living areas and provide natural daylight to all dwellings.</p> <p>Multiple Dwellings developments are required to be designed so that the dwellings within the development maximise cross ventilation and provide natural ventilation to all dwellings.</p>
Applicants Proposal:	Balconies to units 3 - 14 do not have access to direct northern sunlight.
Design Principles	Not Applicable
Applicant justification summary:	<p><i>“Given the east-west orientation of the site and the need to protect the amenity of adjacent properties by minimizing overlooking opportunities, it is not feasible to design a development on the subject site to achieve direct northern sunlight.</i></p> <p><i>All of the proposed balconies receive direct afternoon sunlight. This provides opportunities for residents to enjoy direct sunlight in the afternoon and towards dusk, the period of the day where residents are most likely to partaking in recreational activities.</i></p> <p><i>The western orientation of balconies also ensures residents remain a visual connection with the Oxford Street, providing an important sense of interaction with the activity corridor that encourages residents to participate in urban activities in the area.</i></p>
Officer technical comment:	Supported. It is considered on balance the proposed development provides for adequate light and ventilation to all of the units proposed.

Issue/Design Element:	Surveillance
Requirement:	<p><b>Development Guidelines for Multiple Dwellings Policy 7.4.8 A1.4</b> The ground floor at the front of the development is occupied by a dwelling without any parking between the dwelling and the front boundary.</p>
Applicants Proposal:	Visitor Car Bays in front setback
Design Principles	<p><b>Development Guidelines for Multiple Dwellings Policy 7.4.8 P1.3</b> Multiple Dwelling developments shall be designed to integrate with the street through providing a clear and identifiable entry from the street and to the development and ensuring garages and car parks do not dominate the streetscape.</p>
Applicant justification summary:	Nil
Officer technical comment:	Supported. The proposed visitor car bays will not dominate the front of the property given they are relatively obscured behind landscaping at the front of the property. In addition on approach to the property from the north and south of the site they will be largely obscured by the proposed adjacent fencing and boundary wall along the southern boundary.

**Proposed Car Parking**

<b>Residential Car Parking</b>	
<p>Small Multiple Dwelling (Less than 75 square metres) – (0.75) car bays per dwelling – Fourteen (14) dwellings proposed – 10.5 car bays or 11 car bays required. Visitors= 0.25 per dwelling (14) dwellings) = 3.5 bays – 4.0 car bays</p> <p>Total Required = Fifteen (15) car bays (11.0 Residential/4.0 Visitors)</p>	<p>Sixteen (16.0) Resident Car Bays Proposed plus two (2.0) Small Car Bays Four (4.0) Visitor Bays Proposed</p>
<b>Surplus</b>	Five (5.0) car bays plus two (2.0) small car bays

There are twenty-two (22) car bays provided on-site for the residents and visitors of the site. Given the requirement of four (4) car bays for the visitors on-site the remaining car parking bays are allocated to the fourteen (14) units. This when taking into account the fourteen (14) units, the remaining four (4) car bays are in excess of the requirement. These spaces could be utilised for the offsetting of the landscaping variation that presently exists on-site.

<b>Residential Bicycle Parking</b>		
<b>Bicycle Parking</b>	<p>Residential component (as per the R-Codes- 1 bicycle space to each 3 dwellings for residents (14 dwellings – 10.5 or 11.0 required) and 1 bicycle space to each 10 dwellings for visitors(14 dwellings – 1.4 or 2.0):</p> <p>Five (5) bicycle bays for the residents and two (2) bicycle bay for the visitors.</p>	<p>Proposed:</p> <p>Seven Bays</p>

**CONSULTATION/ADVERTISING:**

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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<b>Comments Period:</b>	1 April 2014 – 24 April 2014
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<b>Comments Received:</b>	Two (2) Comments received with one (1) objection and one (1) comment of concern
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<b>Summary of Comments Received:</b>	<b>Officers Technical Comment:</b>
<p><u>Issue: Side Setbacks</u></p> <ul style="list-style-type: none"> <li>Concern in relation to the eastern setbacks proposed, given the scale of the building in close proximity to the property boundary. Specifically the impact of noise, air conditioning units, loss of sunlight and ventilation.</li> </ul>	<p>Not supported. The proposed eastern portion of wall is compliant with the setback requirements of the Residential Design Codes. Whilst the associated impacts of noise and bulk are noted in full the proposed articulation of this elevation is designed to reduce these where possible.</p>
<p><u>Issue: Privacy</u></p> <ul style="list-style-type: none"> <li>Concerns in relation to the eastern elevation and any privacy intrusions into the adjoining properties.</li> </ul>	<p>Noted. The eastern elevation is compliant with the privacy provisions of the Residential Design Codes.</p>

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Construction</u></p> <ul style="list-style-type: none"> <li>Request the developer carry out dilapidation surveys prior to the commencement of any works on site.</li> <li>Concern in relation to the demolition of the existing dwelling and the impact to the adjoining properties.</li> <li>Concern in relation to the replacement of a dividing fence should one be removed. The existing fence is asbestos and the neglect of shrubbery has created the splitting of the existing fence.</li> <li>Request that any boundary construction has the approval of the adjoining property owner and consent requests for encroachment, adverse effect, boundary wall and access to the adjoining property.</li> <li>Note there is an illegal constructed retaining wall at 11-13 Rae Street which is held up by a dividing fence on the adjoining property. The retaining wall will likely become unstable prior to the dividing fence being removed. The matter of unstable footings would be better addressed before major construction works.</li> </ul>	<p>Noted. It is in the applicant's best interests to undertake a dilapidation report for the adjoining properties to ensure any works do not cause damage to the adjoining properties. This will be assessed at the Building Permit stage by the City.</p> <p>Noted. The applicant would be required to undertake demolition in accordance with a Demolition Permit and take appropriate care during the process.</p> <p>Noted. The applicant is to undertake the removal of any fencing in accordance with cooperation of the adjoining landowners and in concert with the Dividing Fences Act 1961.</p> <p>Noted. See above for information relating to boundary construction. The applicant is to have the property resurveyed prior to construction to ensure the building is constructed appropriately to the plans.</p> <p>Noted. This is a civil issue between parties. The construction of the building on the subject site will need to be appropriately engineered to ensure structural stability.</p>
<p><u>Issue: Landscaping</u></p> <ul style="list-style-type: none"> <li>Request that all landscaping is in compliance with the requirements of the Multiple Dwellings Policy and is provided in a sustainable way.</li> </ul>	<p>Noted. The applicant has provided further landscaping on-site in the amended plans including the provision of a grow wall along the southern side of the property. A condition is included requiring the applicant provide the required landscaping over the site.</p>

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

**Design Advisory Committee:**

Referred to Design Advisory Committee: Yes

The proposal was referred to the City's DAC on the 6 November 2013.

***Discussion:***

*This proposal represents the current two storey developments along the strip of Oxford Street to Scarborough Beach Road.*

**Recommendation:**

*The Design Advisory Committee considers that Proposal No. 1 (Five Storey Development) is a more appropriate option as Proposal No. 2 (Two Storey Option) is suburban in nature and not the future desired character for Oxford Street between the development site and Scarborough Beach Road.”*

Although the proposal (Proposal No. 2) is considered more suburban in nature it is noted the development provides additional housing choice to that currently provided on-site. Given the proposal is a two (2) storey development, no design excellence is required in this instance.

**LEGAL/POLICY:**

The following legislation and policies apply to the Proposed Demolition of Single Dwelling and Construction of Two (2) Storey Multiple Dwelling Development Comprising Fourteen (14) 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;
- Development Guidelines for Multiple Dwelling Policy No. 7.4.8; and
- Leederville Precinct Policy No. 7.1.3.

**RISK MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

*“Natural and Built Environment*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2013-2017 states:

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

**ENVIRONMENTAL**

The design of the building allows for adequate light and ventilation to the units.

**SOCIAL**

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

**ECONOMIC**

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS**

**Planning Comments**

The proposed variations are considered not to have an undue impact in this instance. The development is two (2) storeys in height, provides adequate parking on-site, which would alleviate demand for extra street car parking in the area.

Overall, the proposed development is considered to improve the streetscape and surrounding area through the redevelopment of an under-utilised site, which will fit in with other new developments along Oxford Street. Oxford Street itself is considered to be in transition from a typical single house on large block street characteristic to a more regional focused area where. The appearance of the built form meets the contemporary townhouses that have become common along the street.

**Conclusion**

Overall, the proposed development is considered to generally improve the streetscape and surrounding area, which will provide a catalyst for other sites to be developed along Oxford Street. The proposed variations to street setbacks, plot ratio are supported given the location and design characteristics of the development.

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

**9.2.1 'Vincent Greening Plan' – Further Report**

<b>Ward:</b>	Both	<b>Date:</b>	24 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	SC1293
<b>Attachments:</b>	<a href="#">001</a> – Summary of Submissions <a href="#">002</a> – Vincent Greening Plan <a href="#">003</a> – Five (5) Year Action Plan		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	A Marriott, Sustainability Officer J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	C Wilson, Acting Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **CONSIDERS** the submissions received (Attachment 001) in relation to the Vincent Greening Plan;
2. **APPROVES** the;
  - 2.1 'Vincent Greening Plan' (Attachment 002); and
  - 2.2 Five (5) year action plan prepared for the implementation of the 'Vincent Greening Plan' 2014/15 to 2018/19 (Attachment 003); and
3. **ADVISES** all respondents of its decision.

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Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

**AMENDMENT 1**

Moved Cr Buckels, Seconded Cr McDonald

"That a new Clause 4 be inserted to read as follows:

4. **PROVIDES a progress report to Council every two (2) months;**"

Debate ensued.

**AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)

Debate ensued.

**AMENDMENT 2**

Moved Cr Peart, Seconded Cr Buckels

"That a new Clause 5 be inserted to read as follows:

5. **REQUESTS that the quality of the appendix maps be improved and incorporated into the main document by no later than 31 August 2014.**

**AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.2.1**

That the Council;

1. **CONSIDERS** the submissions received (Attachment 001) in relation to the Vincent Greening Plan;
2. **APPROVES** the;
  - 2.1 'Vincent Greening Plan' (Attachment 002); and
  - 2.2 Five (5) year action plan prepared for the implementation of the 'Vincent Greening Plan' 2014/15 to 2018/19 (Attachment 003); and
3. **ADVISES** all respondents of its decision;
4. **PROVIDES** a progress report to Council every two (2) months; and
5. **REQUESTS** that the quality of the appendix maps be improved and incorporated into the main document by no later than 31 August 2014.

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**PURPOSE OF REPORT:**

The purpose of this report is to provide the Council with the results of the recent community consultation and to seek approval for the Vincent Greening Plan and the attached five (5) year action plan.

**BACKGROUND:**

**Notice of Motion – 20 December 2011:**

A Notice of Motion was put forward requesting the Chief Executive Officer to investigate the development of a City wide 'Greening Plan' in line with the City of Vincent Strategic Community Plan 2011-2021 and the City of Vincent Sustainable Environment Strategy 2011-2016.

The Vincent Greening Plan was to encompass environmental, social and economic benefits such as:

- the cooling of the built environment from increased trees and tree canopy;
- pollution adsorption;
- carbon sinking;
- stormwater and groundwater water quality improvements;
- an increase in biodiversity;
- cleaner and more attractive streetscapes; and
- a general increase in visual amenity and community well-being.

**Ordinary Meeting of Council - 23 July 2013:**

The Council approved the implementation of the streetscape enhancements occurring on Brady Street, Charles Street and Claisebrook Road.

**Ordinary Meeting of Council - 25 February 2014:**

The Council approved the implementation of the streetscape enhancements occurring on Oxford Street, Bulwer Street, Vincent Street, Anzac Road and at the corner of Scarborough Beach Road and Oxford Street.

**Ordinary Meeting of Council – 25 March 2014:**

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

**Ordinary Meeting of Council – 10 June 2014:**

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

**DETAILS:**

In accordance with the Council's decision – 25 March 2014, community consultation was undertaken by way of advertisements in the local papers, the City's website, Vincent E-News, Vincent Green E-News and hard copies made available at the Administration Centre and Library and Local History Centre. The results of the consultation are summarised below and the comments received are outline in attachment 001.

In Favour	3
Against	0
Neither Support nor Object	1
<b>TOTAL</b>	<b>4</b>

Late submissions received: 1 (neither support nor object)

Officer's comments:

There has been significant support for the Vincent Greening Plan throughout the 'draft' process from residents, neighbouring Councils and one Council afar. Whilst there were evidently not many comments received during the consultation period, the feedback throughout the process of creating the document has been overwhelmingly positive.

The main concern that has been raised throughout the consultation period is the City's limited ability to mandate greening requirements on private property and within developments. This is something that will need to be pursued via amendments to the City's Planning Policies and has been incorporated into the five (5) year action plan.

Advice has recently been sought from the City's Sustainability Advisory Group and is currently being sought from experts external to the City in relation to amending landscaping requirements for new developments.

Another concern raised is that the objectives and targets of the Greening Plan are not always quantified or specific enough and as such, progress may not be objectively measureable. Every attempt has been made to reasonably address this within the Greening Plan; however in some instances the actions outlined in the five (5) year action plan will aim to identify measureable indicators that can be used to establish targets into the future.

One submission received, was significantly detailed, with many points relating to a number of items in the Plan. These comments have been noted, and where practicable as requested have been incorporated into both the Vincent Greening Plan and the five (5) year action plan. The Appendix maps will be re-worked with the assistance of a graphic designer to be clearer to interpret and incorporated into the body of the Greening Plan for ease of reference.

**CONSULTATION/ADVERTISING:**

The Vincent Greening Plan has been advertised and showcased widely. This included:

- The City's website;
- Information Boards used at events;
- Newspaper advertisements;
- Newspaper articles;
- Magazine publications (such as WALGA); and
- Within the City's Administration building and Library.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Approval of the Vincent Greening Plan presents a low risk to the City in terms of implementation and action. Rejecting the Vincent Greening Plan may result in a risk for future generations in relation to poor sustainable development and environmental leadership.

**STRATEGIC IMPLICATIONS:**

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

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

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

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

**SUSTAINABILITY IMPLICATIONS:**

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

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

After considering the formal and informal submissions pre-consultation and within the consultation period, the local and wider community is in great support of the Vincent Greening Plan. It is therefore recommended that the Vincent Greening Plan be adopted to assist in guiding the City when implementing greening projects and initiatives.

**9.2.3 Vincent Bike Network Plan 2013 – Scarborough Beach Road - Progress Report No. 7**

<b>Ward:</b>	Both	<b>Date:</b>	30 June 2014
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0172; TES0600; FIN0131
<b>Attachments:</b>	<a href="#">001</a> - Summary of feedback Scarborough Beach Road <a href="#">002</a> - Summary of feedback General <a href="#">003</a> - Proposed Plan Nos 3150-CP-01A/3150-CP-02A		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	F Sauzier, Travel Smart Officer C Wilson, Acting Director Technical Services		
<b>Responsible Officer:</b>	C Wilson, Acting Director Technical Services		

That the Council;

1. **CONSIDERS** the submissions received (attachment 001) in relation to the proposal to install bike lanes on Scarborough Beach Road, between Fairfield and Charles Streets;
  - 1.1. the General feedback submissions received (attachment 002) in relation to the Bike Network Plan implementation;
2. **APPROVES IN PRINCIPLE** the progression of works as shown on the attached Plan Nos 3095-CP-01A and 3095-CP-02A (attachment 003); and
3. **ADVISES** the respondents and stakeholders of its decision.

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Moved Cr Peart, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

**AMENDMENT**

Moved Cr Peart, Seconded Cr Buckels

“That a new Clause 4 be inserted to read as follows:

4. **AUTHORISES** the Acting Chief Executive Officer to INVESTIGATE ways to improve the Bike priority at Loftus Street, London Street and Charles Street intersections, including the removal/shortening of the East bound slip lane at London Street.”

Debate ensued.

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Mayor Carey was on approved leave of absence.)  
(Cr Wilcox was on approved leave of absence.)

**COUNCIL DECISION ITEM 9.2.3**

That the Council;

1. **CONSIDERS** the submissions received (attachment 001) in relation to the proposal to install bike lanes on Scarborough Beach Road, between Fairfield and Charles Streets;
  - 1.1. the General feedback submissions received (attachment 002) in relation to the Bike Network Plan implementation;
2. **APPROVES IN PRINCIPLE** the progression of works as shown on the attached Plan Nos 3095-CP-01A and 3095-CP-02A (attachment 003);
3. **ADVISES** the respondents and stakeholders of its decision; and
4. **AUTHORISES** the Acting Chief Executive Officer to **INVESTIGATE** ways to improve the Bike priority at Loftus Street, London Street and Charles Street intersections, including the removal/shortening of the East bound slip lane at London Street.

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**PURPOSE OF REPORT:**

The purpose of this report is to inform the Council of the progress of the implementation of the Vincent Bike Network Plan – Scarborough Beach Road bike lanes, between Fairfield and Charles Streets.

**BACKGROUND:**

**Ordinary Meeting of Council held on 17 December 2013:**

The Vincent Bike Network Plan 2013 Progress Report No.2 was reported to the above Council meeting where the following decision was made:

*“That the Council;*

1. **NOTES;**
  - 1.1 *the following proposed three (3) Staged Plan to deliver the Vincent/Bulwer Street Bike Lanes as outlined in the report and as outlined in the attached spread sheet at attachment 9.2.7;*
    - 1.1.1 *Vincent Street Bike Lanes – Oxford Street to Charles Street on path lanes as shown on Plan No. 3095-CP-01 and Charles Street to Bulwer Street on road lanes as shown on Plan No, 3108-CP-01 estimated to cost \$88,100;*
    - 1.1.2 *Stage 1: Bulwer Street Bike Lanes – Vincent Street to Palmerston Street as shown on attached Plan No. 3107-CP-01, estimated to cost \$650,000; and*
    - 1.1.3 *Stage 2: Bulwer Street Bike Lanes – Palmerston Street to Lord Street ‘tentatively’ estimated to cost \$1,300,000;*
  - 1.2 *that grant applications for Perth Bicycle Funding for 2014/2015 totalling \$347,500 have been submitted and will be determined in February 2014; and*
  - 1.3 *the progress on the other Vincent Bike Network Plan initiatives;*
2. **APPROVES BY AN ABSOLUTE MAJORITY** to reallocate \$93,500 from the 2013/2014 Totem Way Finding budget to fund the proposed Vincent Street Bike Lanes, as per clause 1.1.1 above;

3. *AUTHORISES the Chief Executive Officer to progress the design/implementation of the Vincent Street on-path lanes, between Oxford Street and Charles Street, and the Bulwer Street on-road bike lanes, between Vincent Street to Palmerston Street subject to;*
  - 3.1 *a feasible and practical design being finalised and approved by the various stakeholders;*
  - 3.2 *appropriate funding being obtained/allocated; and*
  - 3.3 *consultation with affected residents/businesses being undertaken; and*
4. *RECEIVES further progress report on the implementation of the Vincent Bike Network Plan in February/March 2014."*

**Ordinary Meeting of Council held on 25 February 2014:**

A further progress report (No. 3) was presented to this meeting where the following decision was made (in part)

*"That the Council;*

1. *NOTES the;*
  - 1.2 *Strategic Routes have been split into the following, based on the above advice;*
    - 1.2.1 *Phase 1, comprising all works relating to the delivery of Vincent and Bulwer Street bike lane to Palmerston Street as shown on attached Plan No.s 3095-CP-01, 3107-CP-01 and 3104-CP-05B estimated to cost \$740,000; and*
    - 1.2.2 *Phase 2, comprising all works relating to the delivery of bike lanes on Oxford Street and Scarborough Beach Road as shown on attached concept Plan No 3104-CP-05B and 3127-CP-01 estimated to cost \$1,515,000;*
  - 1.4 *2013/2014 Budget includes \$639,500 for Bicycle Network Implementation and Improvements; and*
  - 1.5 *decision of the PBN Funding Grants 2014-15 has been delayed;*
2. *APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$100,500 from the Capital Reserve Fund;*
3. *APPROVES IN PRINCIPLE the proposed Phase 2 projects currently estimated to cost \$1,515,000 to be implemented in 2014/2015, as outlined in clause 1.2.2;*
4. *LIST and amount of \$ 1,515,000 for consideration in the 2014/2015 Draft Budget;*
5. *CONSULTS with affected residents/businesses regarding the Phase 1 project and advertises the plan to the wider community; and*
6. *RECEIVES a further report on the implementation of Phase 1 of the Vincent Bike Network Plan at the conclusion of the community consultation.*

**Ordinary Meeting of Council held on 11 March 2014:**

The following decision was made at this meeting regarding progress report No. 4.

*"That the Council APPROVES BY AN ABSOLUTE MAJORITY to allocate additional funding of \$20,000 from a source to be determined by the Chief Executive Officer for costs associated with advertising and marketing of the Vincent Bike Network Plan."*

**Ordinary Meeting of Council held on 27 May 2014:**

A further progress report (No.5) was presented at this meeting which related to Phase 2 of the Bike Network Plan, with the following decisions made (in part):

*"That the Council;*

1. *NOTES that;*
  - 1.3 *an amount of \$1,515,000 for Phase 2 project has been listed in the 2014/2015 Draft budget;*
2. *APPROVES IN PRINCIPLE the following proposed Phase 2 Vincent Bike Network proposals, estimated to cost \$1,515,000;*
  - 2.1 *OPTION A: Oxford Street Vincent Bike Network proposal as shown on attached Plan Nos 3149-CP-01A and 3149-CP-02A;*
  - 2.2 *OPTION B: Oxford Street bike Lanes proposal Option B as shown on attached Plan Nos 3149-CP-01B and 3149-CP-02B and*
  - 2.3 *Scarborough Beach Road bike lanes proposal as shown on attached Plan No. 3150-CP-01A and 3150-CP-02A.*
3. *CONSULTS with affected residents/businesses regarding the proposed Phase 2 Vincent Bike Network proposals as outlined in clause 2 above; and*
4. *RECEIVES a further report on the preferred option for the implementation of the Oxford Bike Network proposal/s including the implementation of the Scarborough Beach Road Bike Network proposal at the conclusion of the community consultation period.*

**Ordinary Meeting of Council held on 24 June 2014:**

Progress Report No.6 was presented to the above meeting where submissions relating to Vincent and Bulwer Street bike lanes was considered and approved the progression of works as follows;

*"That the Council;*

3. *AUTHORISES the Chief Executive Officer to investigate, and report back to the Council by 22 July 2014 with amendments to Plan Nos 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) to highlight path users' priority including, but not limited to:-*
  - 3.1 *marking a zebra crossing at the slip lane on northeast corner of Loftus and Vincent Streets;*
  - 3.2 *installing a raised plateau or painting green lanes across the driveway entrances and exits of properties including the post office, DSR building, Medibank Stadium, 244 Vincent Street and Beatty Park Leisure Centre;*
  - 3.3 *installing a raised plateau or painting green lanes at the intersection of Morriston and Vincent Streets; and*
  - 3.4 *removing the depicted give way markings for path users;*
4. *APPROVES IN PRINCIPLE the progression of works as shown on the attached Plan Nos. 3095-CP-01, 3141-CP-01 and 3107-CP-01A (attachment 003) scheduled to commence in the new financial year and subject to the abovementioned amendments to highlight path users' priority; and*
5. *ADVISES the respondents and stakeholders of its decision.*

**DETAILS:**

**PHASE 2 – Scarborough Beach Road Bike Lanes:**

In accordance with the Council's decision of 27 May 2014, the City consulted the affected residents/businesses between 9 - 23 June 2014, regarding the Scarborough Beach Road component of Phase 2 of the Vincent Bike Network Plan implementation and advertised the plan to the wider community.

Note - the Oxford Street Bike lanes component was also concurrently consulted on – this will be reported to Ordinary Meeting of Council in August.

The City received sixty five (65) responses, during this period. Of these responses, forty eight (48) related specifically to the Scarborough Beach Road project, or came from residents or those directly affected by the works. The remaining seventeen (17) responses were more general in nature and will be noted separately.

Phase 2 Scarborough Beach Road Project:

In Favour	38 (79.2%)
Against	5 (10.4%)
Neither Support nor Object	5 (10.4%)
Total	<b>48</b>

Officers Comments:

Those either living on or directly affected by the proposed works are overwhelmingly in favour (outlined in Attachment 001). Note that 45 (94%) of the 48 responders are Vincent residents.

Some comments received indicated the need for more consideration at the Charles Street and London Street intersections; that the reduction in lanes would lead to much greater congestion; it could make turning out of side streets more difficult. Other comments include it will greatly improve the safety and aesthetics of Scarborough Beach Road and reduce the speed of traffic.

GENERAL Feedback:

(17 responses of a General nature have been received during the Phase 2 consultation. These have been collated with the General feedback received during the Phase 1 consultation to better reflect the overall response).

In Favour	58 (91%)
Against	5 (8%)
Neither Support nor Object	1 (1%)
Total	<b>64</b>

Officers Comments:

Those supplying General feedback (see Attachment 002) were overwhelmingly positive (91%), with 53 (83%) of the 64 responders being Vincent residents.

Some comments received indicated a concern with the potential for 'dooring' (cyclists being hit by drivers in parked cars opening their doors) and that 'best practice' bike lanes should be adopted with audible markers on the traffic side of the bike lane. Negative comments indicated the impression that those who cycle do not pay for roads; that it was a waste of taxpayers' funds; that cyclists should not be on busy roads.

**CONSULTATION/ADVERTISING:**

A consultation program was designed and implemented in conjunction with the City's Marketing and Communications Officer and in accordance with the City's Consultation Policy.

**Leaflets:**

The 800 residences and businesses in streets directly affected by the Scarborough Beach Road works were hand delivered leaflets, containing the following:

- Specific works brochure;
- A two page detailed map;
- A feedback form: and
- A reply paid envelope.

Every residence in Vincent was letterbox dropped a 'General Works' brochure which outlined the Phase 1 and Phase 2 works and encouraged people to comment using the online facility, and 5300 brochures were also delivered to PO Boxes in Vincent via Australia Post. Therefore, those who live in the Vincent/Bulwer Street affected areas would have received both a General Works brochure as well as the targeted information relating to works in or near their street.

**Advertising:**

Three (3) full page ads were placed in the local papers delivered to Vincent residents (they were placed in the Guardian Express (6 May) and the Perth Voice (10 and 17 May) and three (3) quarter page ads were inserted in the Guardian Express (17 June) and the Perth Voice (14 and 21 June) respectively.

**Online:**

The Invitation to Comment was distributed online through the Vincent e-list and has regular mentions on the e-news bulletin.

**Media:**

An article and photo appeared 26 February 2014 in The West Australian and 4 March 2014 in the Guardian Express announcing the initiative.

**LEGAL/POLICY:**

The initiative aligns with the City's *Strategic Plan 2013-23*, *Physical Activity Plan 2009-2013* and the *Sustainable Environment Strategy 2011-2016*.

**STRATEGIC IMPLICATIONS:**

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

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

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

*(d) Promote alternative methods of transport."*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The congestion experienced due to proximity to the Perth Central Business District, as well as, increasing densification of sections of the City of Vincent highlight the need to provide infrastructure for those seeking to use active transport.

An increased cycling participation rate by both residents and the wider community should lead to improved general health and well being of the community, while reducing carbon emissions and the dependence on motorised transport.

**RISK MANAGEMENT IMPLICATIONS:**

**LOW:** The design of the bike lane infrastructure has included input from Aurecon consultants; Bicycle Network; Bicycling WA; Bicycle Transportation Alliance; and Main Roads WA.

**FINANCIAL/BUDGET IMPLICATIONS:**

At the February 25 2014 Ordinary Meeting of Council, Council made the decision to list an amount of \$ 1,515,000 for consideration in the 2014/2015 Draft Budget. This amount is to fund the works on both Oxford Street and Scarborough Beach Road.

<b>PHASE 2 (2014/2015)</b>			
<b>Street</b>	<b>Section</b>	<b>Description</b>	<b>Estimated cost</b>
Oxford Street	Vincent to Scarborough Beach Road	On-road bike lanes; embay parking; on-road symbols; advanced start box	\$1,000,000
Scarborough Beach Road	Fairfield to Charles Street	On-Road bike lanes, separated by planted medians; symbols; advanced start box	\$515,000
		<b>Total</b>	<b>\$1,515,000</b>

**Perth Bike Network (PBN) Grant Funding 2015-16 Round**

The City will be eligible to apply to the PBN 2015-16 round, to perhaps fund an element of the Phase 2 works. The criteria and application forms will be made available in September and the application forms traditionally need to be submitted in November for works to commence in the 2015-16 financial year.

**COMMENTS:**

The general feedback received relating to the overall implementation plan has been overwhelmingly positive, with the community supporting the Council aims. The feedback received relating to the Specific Phase 2 works to be implemented on Scarborough Beach Road has also been positive.

The feedback has highlighted that the project provides an opportunity to provide a high standard of cycle environment, improve the aesthetics of Scarborough Beach Road and also reduce the speed of traffic on this road.

**9.3.1 Hyde Park and Banks Reserve – Proposed Provision of Kiosk/Cafe Facilities**

<b>Ward:</b>	Both	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Hyde Park (12) Banks (15) & All others	<b>File Ref:</b>	RES0042; RES0008; ENS0133
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	G Pieraccini, Director Special Projects		
<b>Responsible Officers:</b>	M Rootsey, Acting Chief Executive Officer G Pieraccini, Director Special Projects J Anthony, Acting Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the report on feedback from the Community Consultation for the Proposed Provision of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve;
2. **DOES NOT PROCEED** any further with the Request for Tender process for the Proposed Provision of Kiosk/Cafe Facilities at both Hyde Park and Banks Reserve;
3. **AUTHORISES** the Acting Chief Executive Officer to finalise the Mobile Food Vendor Policy and investigate the areas within which Mobile Food Vendors could be allowed to operate including Hyde Park and Banks Reserve;
4. **NOTES** that a further report will be submitted to Council once this has been completed.

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**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Buckels, Seconded Cr Topelberg**

That the item be DEFERRED to the next Ordinary Meeting of Council at which the Policy is ready.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

**(Mayor Carey was on approved leave of absence.)**

**(Cr Wilcox was on approved leave of absence.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to advise Council of the outcome of the Community Consultation for the Proposed Provision of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve and obtain direction moving forward with an alternative in the provision of mobile food vending in these areas.

**BACKGROUND:**

- 23 October 2012 Council resolved to make a decision on the provision of a kiosk/cafe at Hyde Park after the completion of the Hyde Park Restoration Project.
- It was also resolved in part for quotations to be obtained for a temporary portable/mobile food facility at Hyde Park for a trial period of six months.
- 30 October 2012 A potential model for Mobile Food Vendors within the City was presented by the Acting Health Manager at the Council Forum. Subsequently research and preparation of a draft policy has been undertaken.
- 3 November 2012 A Request for Quote for a temporary portable/mobile food facility at Hyde Park was advertised and one submission was received from Delish Ice. Delish Ice were granted a trial period from 1 December 2012 to 30 April 2013 to operate within Hyde Park adjacent the water playground.
- 26 February 2013 A report was submitted to Council regarding the allocation of funds for the proposed upgrade of Banks Reserve Pavilion (the building and courtyard).
- During this time the City received representation from parties interested in fitting out and operating a Kiosk/Cafe at Banks Reserve. It was noted that if a kiosk/cafe facility were to be incorporated into the pavilion, the operation would be responsible for the fit out and operating costs.
- 12 March 2013 A Draft Mobile Food Vendor Policy was submitted to Council for approval, however it was resolved that the item be deferred to allow further investigation to be undertaken.
- 23 July 2013 (Item 9.3.5) Council resolved to call for Expressions of Interest for the Fit out and Operation of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve. It was noted that any operator would be responsible for the fit out and operating costs.
- The Council also approved the extension of the trial period, for a further three months, of the mobile ice-cream facility (Delish Ice) within Hyde Park adjacent the water playground.
- 10 September 2013 The Expression of Interest (EOI) for the Fit out and Operation of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve closed. At the close of the EOI four submissions were received for Hyde Park and one submission was received for Banks Reserve.
- 17 December 2013 (Item 9.3.5) The Council resolved in part to defer the calling of Tenders for the Provision of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve until a Community Forum and Consultation on the proposal had been undertaken to gauge the community's support for the proposal.

**DETAILS:**

Community Consultation on the proposed Kiosk/Cafe at Hyde Park and Banks Reserve was undertaken during May 2014.

A Community Forum was held on Wednesday, 14 May 2014 and a survey was distributed to approximately three (3) thousand property owners within a five hundred (500) metre radius of both Hyde Park and Banks Reserve.

The intention of the consultation was to better inform the Council's decisions moving forward with the proposal for the Provision of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve.

### Community Forum

The aim of the Forum was to provide more information around the proposal than that which could be included with the Survey, expand on the thinking behind the proposal, and provide the opportunity for discussion with the Community.

A power point presentation by the Director of Special Projects outlined the context and background to the proposal as well as clarifying the envisaged form that the proposed kiosk/cafe facilities would take. The Mayor subsequently opened the floor to discussion.

In both locations it has been proposed that a small kiosk could be fitted out within underutilised storage space in existing buildings. These buildings currently also house public toilets which would be required to be retained. It is also envisaged that some outdoor seating and tables would be provided adjacent the building.

The fit out and operation of these facilities would be the responsibility of an outside operator, not the City. A lease agreement between the City and operator would be entered into, which would outline conditions and requirements to allow the operation of the kiosks within these areas.

Twenty-nine (29) members of the Community attended the Forum, of which fifteen (15) individuals spoke, with six (6) in favour of the proposal, six (6) against and three (3) unsure.

### The Survey

The Survey was posted out to properties on 5 and 6 May 2014. A total of 3,065 surveys were distributed.

2,226 within a 500 metre radius around Hyde Park and 839 within a 500 metre radius around Banks Reserve. A total of 13 were returned to the City undelivered.

The total number of respondents was 179 (5.8% of total sent out) with 33 of these without an address. The breakup of respondents in favour, against or neither is as follows:

Number of Respondents				
Response	Hyde Park	Banks Reserve	No Address	Total
In Favour	67	24	27	118
Against	37	5	5	47
Neither support or object	5	8	1	14
Total	109	37	33	179

### Feedback from the Community Consultation

Below is a summary of comments received throughout the consultation process, both at the Forum and with the response to the survey;

#### Respondents In Favour

- An overwhelming number were emphatic that the kiosk/cafe be a small facility with minimal impact on the park surrounds;
- Majority wanted to see a local operator and the use of local producers and suppliers;
- Most wanted good quality healthy food to be on offer at reasonable prices;
- A number wanted to see a quality building, sympathetic to the park surrounds;
- Needs to be open 7 days a week; and
- A handful suggested a licensed dining facility.

### Respondents Against

- Majority expressed concern about exacerbation of existing parking issues in the immediate vicinity of both Hyde Park and Banks;
- Majority want to see more focus on the natural environment of Hyde Park and no further “built” or commercial development within the park;

A number expressed concerns around maintaining the heritage of Hyde Park and compliance with the Conservation Plan;

- A number also raised concerns around potential increase in traffic around Hyde Park;
- Concerns around the management of the potential increase in litter and waste within the park were raised;
- Concerns around safety and security with such a facility in Hyde Park after dark were raised;
- Concerns about increase in noise after hours from delivery vehicles and the like;
- Concerns with the potential impact on the natural environment of commercial vehicle access within the park;
- Concern will take away from existing businesses in the surrounding areas of Hyde Park; and
- A number would prefer a focus on other improvements within Banks Reserve, not a commercial development.

### Generally

- A large percentage of individuals, either for the proposal, against or neither, questioned the commercial viability of a business operation as proposed in both locations.
- A number of respondents to the survey as well as some individuals that attended the Forum, suggested pursuing mobile food vending facilities/ “Food Trucks” as an alternative option to that proposed.

### **Mobile Food Vendors**

During the Community Consultation period City Officers, including the Place Managers and Director of Special Projects, were contacted by a number of “Food Truck” operators asking had the City considered a mobile option to the proposal and expressed a desire to be able to operate within the City of Vincent, potentially in a number of areas, not just Hyde Park and Banks Reserve.

Food trucks and mobile food vendors are a growing phenomenon around the world. In Australia Melbourne, Sydney, Brisbane and Adelaide have all embraced this trend. The City of Melbourne adopted a ‘Street Activity Policy’ in 2011 which covers “Food Vans” and the City of Adelaide more recently in 2013, approved “Mobile Food Vending” and established Operating Guidelines. The “Food Truck” scene is now starting to grow in Perth.

During 2013 the City trialed a mobile ice-cream vendor within Hyde Park and in March 2013 Council requested further investigation be undertaken by Council Officers in the preparation of a draft Mobile Food Vendor Policy. At about the same time the City of Fremantle commenced trialling a “Unique Food Vehicle License”.

**CONSULTATION/ADVERTISING:**

A public notice was published in the 'Guardian' on 29 April 2014 and the 'Voice' on 3 May 2014 advising of the up and coming Community Consultation on the proposed Provision of Kiosk/Cafe Facilities at Hyde Park and Banks Reserve. Digital promotion of the consultation and forum was posted on the City's website on 6 May 2014 and subsequently on Facebook and Twitter on 13 May 2014.

The Survey together with a brief outline of the proposal and an invitation to attend a Community Forum was mailed out on the 5 and 6 May 2014 and closed on the 28 May 2014. The Community Forum was held on 21 May 2014 at 6.00pm at City's Administration Office, 1st Floor Meeting Room, 244 Vincent Street (Corner Loftus Street) Leederville.

**LEGAL/POLICY:**

- Food Act 2008 and Food Regulations 2009;
- Environmental Protection (Noise) Regulations 1997;
- Local Government (Function and General) Regulations 1996 Reg. 22, 23 & 24; and
- Local Government Act (1995) Tender Regulations.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** there is a risk that a small kiosk operation as proposed will not be viable.

**STRATEGIC IMPLICATIONS:**

In keeping with the City's Plan for the Future *Strategic Plan 2013–2017*, the following Objectives state:

Key Result Area One – Natural and Built Environment:

*"1.1.1 Improve and Maintain the Environment and Infrastructure."*

Key Result Area Two–Eco Economic Development:

*"2.1.1 Promote the City of Vincent as a place for investment appropriate to the vision for the City."*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

While the majority of the Community appear to support the proposal to provide a permanent small scale kiosk/cafe facility at both Hyde Park and Banks Reserve, questions were raised, by both sides of the argument, as to the commercial viability and long term sustainability of such a facility in these areas. Concerns were also raised around the impact on the natural environment of a permanent facility within Hyde Park.

During the Community Consultation a number of individuals raised the option of mobile food vendors for Hyde Park and Banks Reserve, and, at the same time Council Officers were contacted by several "Food Truck" operators currently operating successfully throughout Perth and Fremantle requesting the opportunity to be considered as an alternative option to the proposed permanent kiosk/cafe.

It is the Council Officers' view that the City should not progress with the proposal for permanent kiosk/cafe facilities within Hyde Park and Banks Reserve, but instead, further investigate and finalise a Mobile Food Vendor Policy which covers Parks and Reserves as well as other areas within the Municipality for approval by Council and subsequent advertising for public comment.

**9.4.2 Provision to issue Pre-Paid Parking Permits for use in Stuart Street, Perth**

<b>Ward:</b>	South	<b>Date:</b>	27 June 2014
<b>Precinct:</b>	Hyde Park	<b>File Ref:</b>	PKG0112
<b>Attachments:</b>	Nil		
<b>Reporting Officer:</b>	S Butler, Manager Ranger and Community Safety Services		
<b>Responsible Officer:</b>	J Anthony, A/Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council **APPROVES** the provision of up to thirty (30) Pre-Paid Parking Permits, for the commercial tenants at Nos. 37-43 Stuart Street, Perth.

**COUNCIL DECISION ITEM 9.4.2**

**Moved** Cr Topelberg, **Seconded** Cr Cole

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND LOST UNANIMOUSLY (0-7)**

(Mayor Carey was on approved leave of absence.)

(Cr Wilcox was on approved leave of absence.)

**REASONS FOR REFUSAL OF OFFICER RECOMMENDATION:**

Not in accordance with the car parking strategy.

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval to provide up to thirty (30) Pre - Paid Parking Permits to the commercial tenants who may potentially occupy Nos. 37-43 Stuart Street, Perth.

**BACKGROUND:**

The property located at Nos. 37-43 Stuart Street, Perth is owned by 'O' Corp Pty Ltd. The Director of 'O' Corp Pty Ltd, Mr. Rick Hoad, contacted the City of Vincent requesting permission to purchase parking permits for tenants to be used in Stuart Street.

The City has previously entered into a similar agreement in 2004.

At the Ordinary Meeting of Council held on 21 December 2004, the Council resolved the follows:

*"That the Council;*

- (i) APPROVES the issue of twenty (20) Pre-Paid Monthly Parking Permits, for use by the staff of VDM (WA) Pty Ltd, 4 Pre-Paid Monthly Parking Permits for use by artists attending Halverson Hall and 4 Pre-Paid Monthly Parking Permits for use by the staff of the Veterans Tennis Club, in the paid parking area of Stuart Street, Perth;*
- (ii) APPROVES a monthly fee for the pre-paid parking permits of \$55.00 per calendar month, for VDM (WA) Pty Ltd, for use in Stuart Street, Perth; and*
- (iii) REVIEWS the impact that the decision, on the availability of parking spaces at the end of a twelve (12) month period, and a report be submitted to the Ordinary Meeting of Council in early 2006."*

Mr. Hoad has requested that the City of Vincent allow for the purchase of parking permits for Stuart Street, which he believes will attract tenants to the property. Mr Hoad has requested up to thirty (30) parking permits be made available.

**DETAILS:**

Mr Rick Hoad, states that over the past two (2) decades the building has been fully occupied up until two (2) years ago. 'O' Corp Pty Ltd has had great difficulty in attracting tenants to the property due to the limited on-site parking available and the presence of ticket and time restricted parking on Stuart Street.

The section of Stuart Street relevant to this request is between Fitzgerald and Palmerston Streets. There are fifty-six (56) paid ticket parking bays on the northern side, with three (3) and two (2) hour, and a number of shorter time restrictions bays on the southern side. The Director of 'O' Corp Pty Ltd has requested up to thirty (30) parking permits be made available for purchase to attract tenants. Any reference in this report to revenue generated by the purchase of commercial or monthly parking permits are projections and dependant on the number of permits actually purchased.

Providing up to thirty (30) parking permits for Stuart Street will allow twenty-six (26) parking bays to be utilised by non-permit holders, which should be sufficient considering the low usage that Stuart Street experiences. Notwithstanding, the purchase of permits does not guarantee a parking bay and all available parking bays are managed on a first come basis.

Pre-paid permits for Stuart Street has the potential to assist a local-business owner attracting tenants, whilst providing the potential to generate additional revenue in underutilised parking facilities.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

In accordance with the City's Parking Permits Policy 3.9.3, commercial permits can be purchased up to a maximum of three (3) per business.

The City's Parking Facilities Local Law 2007 also authorises the local government or an authorised person, whether upon payment of a fee or not, to issue a parking permits to allow a specific vehicle to park in a specified car park or kerbside area. The purchase of any of the aforementioned permits does not guarantee a parking bay.

There is no legal impediment. Rangers would enforce the restrictions in the same way as they do for other areas where pre-paid permits are used.

**STRATEGIC IMPLICATIONS:**

In keeping with the City *Strategic Plan 2013-2017*, the following Objectives state:

- '2.1: *Progress Economic Development With Adequate Financial Resources.*
- 2.1.3: *Identify and develop opportunities to, pursue other income streams to increase the overall revenue of the City to reduce the City's reliance on rates income.'*

**RISK MANAGEMENT/SUSTAINABILITY IMPLICATIONS:**

**Low:** There are little risk or sustainability implications associated with the approval of this requests. The City has the right to revoke any parking permit provided under the City of Vincent Parking and Parking Facilities Local Law 2007 and the City's' Parking Permits Policy 3.9.3.

**FINANCIAL/BUDGET IMPLICATIONS:**

The City stands to increase its revenue if the request to provide prepaid permits is approved.

There are currently fifty-six (56) paid parking bays and four (4) ticket machines. The hourly rate for parking on Stuart Street is \$2.20. The paid kerbside parking available at Stuart Street is under-utilised and as of May 2014 has generated revenue of only \$6,506 which equates to approximately \$20.50 per day.

In accordance with the Fees and Charges 2014-15, commercial permits can be purchased at ~~\$1,560~~ \$1,650 per year, up to a maximum of three (3) per business. Monthly parking permits for car-parks can be purchased at \$165 per month.

Thirty (30) permits at the commercial rate of ~~\$1,560~~ \$1,650 will potentially generate annual revenue of ~~\$46,800~~ \$49,500, if all permits are purchased. Thirty (30) permits at the monthly rate of \$165 per month will potentially generate monthly revenue of \$4,950, or an annual return of \$59,400.

**Note:** *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

**COMMENTS:**

It is recommended that the Council consider this request, not as a purchase of additional commercial permits, as the City's' Parking Permits Policy 3.9.3 stipulates as maximum of three (3) per business. Furthermore, the bays are not intended for commercial or business vehicles, rather to provide parking bays for the employees of potential tenants.

If approved, a fee of \$165 per month should be considered, as this is consistent with the City's Fees and Charges 2014-2015, in respect of car park permits.

The Council approval of this request is recommended as it is in keeping with the City's Strategic Plan, in that we generate additional revenue from current resources, whilst taking advantage of under-utilised facilities, at no cost to the City.

**9.4.3 LATE ITEM: Beaufort Street Enhancement Working Group – ‘Street Print’ Pavement Design – Progress Report No. 11**

<b>Ward:</b>	South	<b>Date:</b>	8 July 2014
<b>Precinct:</b>	(11) Mt Lawley Centre	<b>File Ref:</b>	TES 0237
<b>Attachments:</b>	<a href="#">001</a> – Roly Skender Beaufort Street Pavement Design <a href="#">002</a> – Studio Papa Beaufort Street Pavement Design		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Doy, Place Manager A Birch, A/Manager Community Development C Wilson, Manager Asset & Design Services		
<b>Responsible Officer:</b>	J Anthony, A/Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **NOTES** the information contained in the report regarding the progress on Stage 2 and Stage 3 enhancement projects.
2. **APPROVES**
  - 2.1 The installation of a ‘Street Print’ design prepared by artist Roly Skender on the Beaufort Street road pavement in two locations, being; directly adjacent to the corner of Grosvenor Road and Beaufort Street and directly adjacent to the corner of St Albans Road and Beaufort Street (see Attachment 001) subject to any minor refinements required by Main Roads Western Australia;
3. **ADVISES** the Public Transport Authority and Main Roads Western Australia of its decision; and
4. **DELEGATES** authority to the Acting Chief Executive Officer for any further required approvals.

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**COUNCIL DECISION ITEM 9.4.3**

**Moved Cr McDonald, Seconded Cr Cole**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED (6-1)**

**For:** Presiding Member Deputy Mayor Harley, Cr Buckels, Cr Cole, Cr McDonald, Cr Peart and Cr Topelberg

**Against:** Cr Pintabona

**(Mayor Carey was on approved leave of absence.)**

**(Cr Wilcox was on approved leave of absence.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to update the Council on the progress of the Beaufort Street Enhancement Works and to seek the Council’s approval for:

- The installation of two (2) ‘Street Print’ designs on the Beaufort Street pavement at
  - The corner of Grosvenor Road and Beaufort Street; and
  - The corner of St Albans Road and Beaufort Street.

**BACKGROUND:**

- 11 September 2012 CONFIDENTIAL REPORT Beaufort Street Enhancement Working Group – Approval of Stage 2 Enhancement Works and progress Report No.5. At the Ordinary Meeting of Council held on 11 September 2012, Council approved the second stage of the Beaufort Street Enhancement Works.
- 18 December 2012 Beaufort Street Enhancement Working Group – Approval of additional seating and drinking fountains. At the Ordinary Meeting of Council held on 18 December 2012, Council approved the remaining funds to be used to install seating, planters and drinking fountains.
- 26 March 2013 Beaufort Street Enhancement – Additional Funding for Major Artwork. At the Ordinary Meeting of Council held on the 26 March 2013, Council approved to fund a shortfall for the proposed Major Art Piece.
- 27 August 2013 LATE REPORT: Beaufort Street Enhancement – Proposed (6) Month Trial of a Filtered Drinking Water Dispenser. At the Ordinary Meeting of Council held on the 27 August 2013, Council approved a six (6) month of the installation of a filtered drinking water dispenser.
- 19 November 2013 CONFIDENTIAL REPORT: Beaufort Street Enhancement – Major Artwork – Progress Report No.9. At the Ordinary Meeting of Council held on the 19 November 2013 Council received a progress report on the Beaufort Street Major Artwork.

At the Ordinary Meeting of Council held on 8 April 2014, it was resolved to:

- “1. NOTE that the Public Transport Authority (PTA) has;
  - 1.1 requested that ‘red asphalt’ peak period bus lanes be implemented in Beaufort Street, between Bulwer and Walcott Streets;
  - 1.2 undertaken community consultation regarding peak period bus lanes in Beaufort Street (refer attachment 9.2.2A); and
  - 1.3 funding available for the ‘red asphalt’ peak period bus lanes including for ‘Street Print’ entry statements in Beaufort Street (refer attachment 9.2.2B).
2. APPROVE IN PRINCIPLE the construction of ‘red asphalt’ peak period bus lanes in Beaufort Street, between Bulwer and Walcott Streets, as shown on attached Plan No. 3135-LM-01, subject to;
  - 2.1 the works being fully funded by the PTA;
  - 2.2 Main Roads WA agreeing to amend the City’s existing Metropolitan Regional Road Grant funded Beaufort Street Road Rehabilitation project to start at Bulwer Street in lieu of Broome Street (to Walcott Street) as outlined in the report.
  - 2.3 the existing clearway times on Beaufort Street between Newcastle and Walcott Streets, currently 7:00am to 9:00am and 4:15pm to 6:00pm Monday to Friday, being amended to between ‘6:30am to 9:00am’ (southbound) and ‘4:00pm to 6:30pm’ (northbound) Monday to Friday to be consistent with the adjoining Local Governments; and
  - 2.4 the Beaufort Street Enhancement Working Group selecting a ‘Street Print’ entry statement design for installation in Beaufort Street at/near the intersections of Walcott Street and St Albans Avenue.
3. ADVISE the PTA of its decision; and
4. RECEIVE a further report on the matter once the recommended actions in clause 2 have been determined.”

At the Ordinary Meeting of Council held on 22 April 2014, it was resolved to:

- “1. NOTES;
  - 1.1 *The information contained in the report regarding progress on Stage 2 projects and proposed for Stage 3 Enhancement projects; and*
  - 1.2 *There are sufficient funds allocated in the 2013/2014 to complete Stage 2 work and implement the proposed stage 3 works as outlined in the report.*
2. APPROVES the following as recommended by the Beaufort Street Enhancement Working Group;
  - 2.1 *The installation of twelve (12) seats in the Beaufort Precinct consistent with the styles and location agreed by the Beaufort Street Enhancement Working Group;*
  - 2.2 *The installation of an ‘artistic light structure’ in the laneway between Lot 2 (485) Beaufort Street and Lot 1 (483) Beaufort Street; and*
  - 2.3 *Light boxes being affixed to the building on Lot 1 (483) Beaufort Street, facing onto the abutting laneway.*
3. FURTHER investigates the removal and replacement of the existing ‘Twig Seating’ for the reasons as outlined in the report;
4. APPROVES IN PRINCIPLE the ‘Mary Street Piazza Public Open Space’ proposal within the Mary Street Road Reserve as shown on Attachment C subject to the parking and traffic implications being further investigated as well as undertaking consultation with the local community, Beaufort Street Network and business owners in accordance with the City’s Consultation Policy; and
5. REQUESTS a further report on the outcomes of clauses 2, and 3 and 4 to be reported back to the Council.”

**DETAILS:**

**Pavement Design**

Two (2) shortlisted designs were presented to the Beaufort Street Network (Network) on 30 June, 2014. The Network selected designs prepared by artist Roly Skender for the Beaufort Street/Grosvenor Road intersection and the Beaufort Street/St Albans intersection (see Attachment 001). The second short listed design was prepared by Studio Papa but was not preferred by the Network (see Attachment 002). The Roly Skender design was preferred due to its simplicity and legibility at pedestrian level. Both designs have been the subject of critical input from the Public Transport Authority, the City’s ‘Street Print’ contractor and Main Roads WA.

The design is two (2) dimensional and considers Beaufort Street’s constantly changing cycle of family, business and entertainment. The artist detailed that the design also:

*“references the rotating heavenly bodies in their own cycle; Sun; Earth; and Moon. The final two geometric ‘views’ are also inspired by historical Art-Deco architecture of the area and the original Beaufort Street Tram system (circa 1899). While not physically connected to each other as was the tram line of the past, they are linked ethereally through unique views of the same geometric structure.”*

The design will provide an interesting and colourful statement at what are the entry points to the Beaufort Street Town Centre in the City of Vincent. The design purposefully extends across the road to include the pavement and median strip providing 'street friction' to slow car speeds, and encourage pedestrian connectivity to both sides of the road. This design will be a memorable addition to the street and contribute to the ongoing activity of both of the chosen areas and the Town Centre as a whole.

The current design may be subject to further minor refinement by Main Roads in order to preserve vehicle safety. The chosen design is contained in Attachment 001.

#### **Public Seating**

The installation of twelve (12) bench seats was approved at the Ordinary Meeting of Council held on 22 April 2014. These seats have been ordered and are currently in transit. It is expected that these seats will be installed in August.

#### **Street Trees**

Street tree plantings in accordance with the plans outlined as part of the Stage 2 of the Beaufort Street Enhancement Project have been completed. Further tree plantings have been made between Bulwer Street and Lincoln Street, and are consistent with the theme established in earlier plantings, being Oriental Plane Trees on the Footpath, Spotted Gums on the median and Jacarandas on secondary streets.

#### **Way Finding**

The Network with the support of the City is implementing a network of stencilled signage on the footpath to assist tourists and local visitors find their way around the Beaufort Street Town Centre.

#### **Mary Street Piazza**

The Mary Street Piazza was approved in principle at the Ordinary Meeting of Council held on 22 April 2014. As part of the advertising process, the Piazza area will be transformed into a temporary public open space. This will provide an opportunity for local visitors, residents and businesses to use the space and provide feedback on its viability and its useability. At the same time, the City will assess the impact the initiative has on traffic movement along Mary Street and the surrounding road network.

A date for the start of the advertising period is being finalised at present. An inventory of temporary urban furniture is currently being collected and a detailed events and activation schedule organised.

#### **Revitalisation of Laneway between Lot 2 (485) Beaufort Street and Lot 1 (483) Beaufort Street**

A written agreement was presented to the owner of Lot 1 (483) Beaufort Street, outlining areas of responsibility concerning the installation of the proposed chandelier structure and light boxes in the laneway. Following discussions about wording and content, the City has refined the written agreement. Once the agreement is agreed to by both parties works can immediately commence on the proposed chandelier structure and the light boxes.

#### **CONSULTATION/ADVERTISING:**

The Network conceived the initiative to paint the Beaufort Street road pavement in April 2013 and have been in discussions, in conjunction with the City, PTA and Main Roads since this time. The initiative is also part of the Better Beaufort Action Plan, created by the community to outline actions to improve Beaufort Street.

Following a rigorous design process, two (2) shortlisted Beaufort Street designs were presented to the Network on 30 June 2014. The Network supported the design by artist Roly Skender, which is outlined in Attachment 001.

**LEGAL/POLICY:**

Beaufort Street is a District Distributor A roads under the care, control and management of the City of Vincent. However, Main Roads WA is the statutory authority responsible for the state road network and in particular regulatory signage and line-marking and therefore their (Main Roads) approval is required for any proposed entry statements.

The community will be consulted regarding the proposals according to the City's Community Consultation Policy.

**RISK MANAGEMENT IMPLICATIONS:**

Medium: There is a risk that the Beaufort Street design may distract the attention of a driver, cyclist or pedestrian. The design has been refined through advice from Main Roads in order to preserve driver safety. The design is intended to create 'street friction', slowing car speeds in the Beaufort Street Town Centre.

**STRATEGIC IMPLICATIONS:**

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

*"Natural and Built Environment*

1.1 *Improve and maintain the environment and infrastructure*

*Community Development and Wellbeing*

3.1 *Enhance and promote community development and wellbeing"*

**SUSTAINABILITY IMPLICATIONS:**

Nil

**FINANCIAL/BUDGET IMPLICATIONS:**

The amount of \$145,000 is included in 2014/15 Budget for Place Managers Initiatives:

Initiative	Cost
Painting of laneway between Lot 2 (485) Beaufort Street and Lot 1 (483) Beaufort Street	\$5,000
Implementation of Beaufort Street Pavement Design including: <ul style="list-style-type: none"> <li>• Artist design</li> <li>• 'Street Print' implementation</li> <li>• Traffic Management</li> </ul>	To be determined

**COMMENTS:**

This report provides an update on the progress of the Beaufort Street Enhancement Works and seeks the Council's approval for the following items:

- The Installation of two (2) 'Street Print' designs on the Beaufort Street pavement at
  - The corner of Grosvenor Road and Beaufort Street; and
  - The corner of St Albans and Beaufort Street.

The designs for the Beaufort Street pavement locations have been supported by the Beaufort Street Network and have been designed to accord with a rigorous criteria set out by the City's Officers with input from the Public Transport Authority, the City's 'Street Print' contractor and Main Roads Western Australia.

**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: Local Government Reform Process**

<b>Ward:</b>	-	<b>Date:</b>	2 July 2014
<b>Precinct:</b>	-	<b>File Ref:</b>	
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Mayor John Carey		
<b>Responsible Persons:</b>	Mayor John Carey		

**ITEM WITHDRAWN BY ACTING  
CHIEF EXECUTIVE OFFICER DUE TO THE  
MAYORS ABSENCE ON PERSONAL LEAVE**

**15. CLOSURE**

**There being no further business, the Presiding Member, Deputy Mayor Roslyn Harley, declared the meeting closed at 7.45pm with the following persons present:**

Deputy Mayor Roslyn Harley	Presiding Member
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Laine McDonald	South Ward
Cr James Peart	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Mike Rootsey	Acting Chief Executive Officer
Rick Lotznicker	Director Technical Services
Gabriela Poezyn	Director Planning Services
Jacinta Anthony	Acting Director Community Services
Gabrielle Pieraccini	Director Special Projects
Jerilee Highfield	Executive Assistant (Minutes Secretary)

Media were present.

2 members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 July 2014.

Signed: .....Presiding Member John Carey.

Dated this ..... day of ..... 2014.