



CITY OF VINCENT

ORDINARY COUNCIL MEETING 9 September 2014

NOTICE OF MEETING AND AGENDA

Notice is hereby given that an Ordinary Meeting of Council of the City of Vincent will be held at the Administration and Civic Centre, 244 Vincent Street (corner Loftus Street), Leederville, on **Tuesday 9 September 2014** at 6.00pm.

A handwritten signature in blue ink, appearing to read 'Len Kosova', is positioned above the typed name.

Len Kosova
CHIEF EXECUTIVE OFFICER
4 September 2014

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

This document is available in alternative formats upon request.

“Enhancing and celebrating our diverse community”

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

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

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

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

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

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

DISCLAIMER

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

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

Copyright

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PROCEDURE FOR PUBLIC SPEAKING TIME

The City of Vincent Local Law Relating to Standing Orders prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the City, either verbally or in writing, at a Council meeting.

Questions or statements made at an Ordinary Council meeting can relate to matters that affect the City. Questions or statements made at a Special Meeting of the Council must only relate to the purpose for which the meeting has been called.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name, address and Agenda Item number (if known).
2. Public speaking time will be strictly limited to three (3) minutes per member of the public.
3. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
4. Public speaking time is declared closed when there are no further members of the public who wish to speak.
5. Questions/statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Council Member or City Employee.
6. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the City, he may ask the person speaking to promptly cease.
7. Questions/statements and any responses will be summarised and included in the Minutes of the Council meeting.
8. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *"taken on notice"* and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
9. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

RECORDING OF COUNCIL MEETINGS

- ◆ All Ordinary and Special Council Meetings are electronically recorded (both visual and audio), except when the Council resolves to go behind closed doors;
- ◆ All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office;
- ◆ A copy of the recorded proceedings and/or a transcript of a particular section or all of a Council meeting is available in accordance with Policy No. 4.2.4 - Council Meetings – Recording and Access to Recorded Information.

ORDER OF BUSINESS

1. **(a) Declaration of Opening**
 - (b) Acknowledgement of Country Statement**

“Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land”.
 2. **Apologies/Members on Approved Leave of Absence**
 - 2.1 Cr Laine McDonald on approved leave of absence from 21 August 2014 – 17 September 2014.
 - 2.2 Mayor John Carey on approved leave of absence from 12 September 2014 – 4 October 2014.
 3. **(a) Public Question Time and Receiving of Public Statements**
 - (b) Response to Previous Public Questions Taken On Notice**
 - [3.1](#) Letter to Ms D Saunders relating to her various questions taken on notice at the Ordinary Meeting of Council held on 26 August 2014. – sent by email.
 4. **Applications for Leave of Absence**

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

Nil.
 6. **Confirmation of Minutes**
 - 6.1 Ordinary Meeting of Council held on 26 August 2014.
 7. **Announcements by the Presiding Member (Without Discussion)**
 8. **Declarations of Interest**

Nil.
 9. **Reports**

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

Nil
-

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

NOTICE OF MOTION: Mayor John Carey – Multiple Dwelling Developments in Mount Hawthorn on Residential land coded R30 and below.

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:

15. Closure

**INDEX
(9 SEPTEMBER 2014)**

ITEM	REPORT DESCRIPTION	PAGE
9.1 PLANNING SERVICES		
9.1.1	No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley – Demolition of Existing Office Building (PRO2199; 5.2014.433.1)	1
9.1.2	No. 146 (Lot: 93 D/P: 2001) East Parade, East Perth – Proposed Demolition of Existing Single House Construction of Three Storey Multiple Dwelling Comprising of Five (5) One Bedroom One (1) Two Bedroom Multiple Dwellings and Associated Car Parking (PRO6143; 5.2014.297.1)	6
9.1.3	No. 161 (Lots: 14 & 15 D/P: 1509) Loftus Street, Leederville – Proposed Demolition of Existing Single House Construction of Three Storey Multiple Dwelling Comprising of Ten (10) Multiple Dwellings and Associated Car Parking (PRO6241; 5.2014.311.1)	17
9.1.4	No. 459 (Lot: 9,10,11,12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth – Proposed Addition of Temporary Vintage Market (Unlisted Use) to Existing Hotel (Rosemount Hotel Car Park Area) (PRO0315; 5. 2014. 344.1) [Absolute Majority Decision Required]	28
9.1.5	No. 590 & 596 (Lot: 48, 49 &50) Beaufort Street and corner of Barlee Street, Mount Lawley – Proposed Addition of Temporary Art Market (Unlisted Use) to Existing Car Park (Barlee Street Car Park) (PRO1751; 5.2014.391.1) [Absolute Majority Decision Required]	34
9.2 TECHNICAL SERVICES		
9.2.1	Proposed Traffic Calming – Angove Street, North Perth Progress Report No. 2 (SC1201, SC671)	40
9.2.2	Tender No. 488/14 - Bi-annual Bulk Verge Green Waste and Annual Bulk Verge General Waste Collection (SC1516, SC1646)	43
9.2.3	Correction/Rescission Motion - Braithwaite Park Design and Construct a Nature Play Area (with a water element) - Tender No. 485/14 (SC1489, SC577) [Absolute Majority Decision Required]	45
9.3 CORPORATE SERVICES		
	Nil	
9.4 COMMUNITY SERVICES		
9.4.1	Beaufort Street Enhancement Project – Progress Report No. 12 (SC1493)	49
9.4.2	RTRFM (Radio Station) Music Festival – Location Change (SC1525)	57
9.4.3	Percentage for Public Art Guidelines – Review (SC1562)	61
9.4.4	Light Up Leederville Carnival Parking – Use of Britannia Road Reserve (SC1527)	63

9.5	CHIEF EXECUTIVE OFFICER	
9.5.1	Use of the Council's Common Seal (SC406)	65
9.5.2	Information Bulletin	66
10.	COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
10.1	NOTICE OF MOTION: Mayor John Carey – Multiple Dwelling Developments in Mount Hawthorn on Residential land coded R30 and below	67
11.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (Without Discussion)	
		68
12.	REPRESENTATION ON COMMITTEES AND PUBLIC BODIES	
		68
13.	URGENT BUSINESS	
		68
14.	CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (<i>“Behind Closed Doors”</i>)	
14.1	CONFIDENTIAL REPORT: No. 36 (Lot: 96 D/P: 1106) Cavendish Street, Highgate – Proposed Carport Addition to Existing Single House – Review State Administrative Tribunal (SAT) DR 231 of 2014 (PRO5449; 5.2014.166.1)	69
15.	CLOSURE	69

9.1 PLANNING SERVICES

9.1.1 No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley – Demolition of Existing Office Building

Ward:	South	Date:	3 September 2014
Precinct:	Mount Lawley Centre; P11	File Ref:	PRO2199; 5.2014.433.1
Attachments:	001 – Property Information Report and Demolition Plan 002 – Supporting Evidence		
Tabled Items:	Nil		
Reporting Officer:	C Sullivan, Planning Officer (Statutory)		
Responsible Officer:	G Poezyn, Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by TPG Town Planning and Urban Design on behalf of South Como Pty Ltd for the proposed Demolition of an Existing Office at No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley, and as shown on plans date-stamped 8 August 2014, included as Attachment 001, subject to the following conditions:

1. A Demolition Permit shall be obtained from the City prior to commencement of any demolition work on the site;
2. **PRIOR TO THE ISSUE OF A DEMOLITION PERMIT:**
 - 2.1 A redevelopment proposal for the subject property shall be submitted to and approved by Council. A building permit for this development must have been issued and the applicant must demonstrate to the satisfaction of Council that this development will commence;
 - 2.2 A Demolition Management Plan, detailing how the demolition of the development will be managed to minimise the impact on the surrounding area, including a site plan to indicate all infrastructural features located on the verge and indicate the access and travel path of demolition traffic entering and exiting the site, shall be submitted to and approved by the City;
 - 2.3 A detailed Vacant Lot Management Plan, prepared in consultation with the City's Health Services, Parks and Property Services and Planning and Building Services for the site at No. 612 (Lot 91; D/P 692) Beaufort Street, Mount Lawley shall be submitted to and approved by the City to ensure that the property is maintained in a safe, secure and tidy manner in the interest of the community. The vacant Lot shall thereafter be maintained to the City's satisfaction in accordance with the Vacant Lot Management Plan;
 - 2.4 A bond of \$2,000 shall be paid by the owner(s) to ensure the Vacant Lot Management Plan is implemented after the demolition of the building to the satisfaction of the City's Chief Executive Officer; and
3. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning.

ADVICE NOTES:

1. The City's approval of the development application to demolish the premises is not to be construed as support for the Planning Approval/Building Permit application for the redevelopment proposal for the subject property;
2. Demolition of the existing structure will make the property ineligible for any development bonuses under the City of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing buildings valued by the community;

2. **Demolition of the existing structure will make the property ineligible for any development bonuses under the provision of the City of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing buildings valued by the community;**
3. **With reference to Condition 2.3, the management plan shall include details of the proposed treatment of the vacant site which covers fencing, maintenance, rubbish collection, weed control, and the like. The vacant lot shall be maintained in accordance with the Management Plan, until redevelopment works are carried out on site; A Management of Vacant Land – An Owner’s Guide can be found on the City’s website; and**
4. **With reference to Condition 2.4, in the event that the bond is drawn upon, such bond shall be maintained at a level of \$2,000 dollars until the redevelopment works are commenced. In the event that the property changes ownership, the new owner(s) of the whole or part of the lot(s), shall be required to pay in pro rata the Vacant Lot Management Bond, on the settlement date of the property, prior to any money being refunded to the original owner(s).**

PURPOSE OF REPORT:

The proposal for demolition requires referral to Council for determination as officers do not have delegated authority to deal with demolition applications without an associated development proposal.

DETAILS:

The application proposes the full demolition of the existing office building at No. 612 Beaufort Street, Mount Lawley.

The applicant in their correspondence dated 7 August 2014 advised the City that the existing building has been subject to significant damage as a result of the demolition of the adjacent building and the excavation for the building basement. The structural report identifies that the building is structurally unstable and a fire hazard to the properties to the north. In addition, even though the owner has secured the building, the property has become home to vagrants which has resulted in further damage by fire.

As such, the applicant seeks conditional demolition approval prior to receiving approval for a future development application for redevelopment.

Landowner:	South Como Pty Ltd
Applicant:	TPG Town Planning and Urban Design
Zoning:	District Centre
Existing Land Use:	Office
Use Class:	Vacant Site
Use Classification:	Not applicable
Lot Area:	472.976 square metres
Right of Way:	At rear

BACKGROUND:

In 2003 and 2005, the City previously approved two applications for the Demolition of Existing Office and Construction of Two Storey Office Building and Associated Car Parking. Both applications have since expired.

On 20 March 2014 a Development Application for Demolition of Existing Office and Construction of Two Storey Office Building and Associated Car Parking was submitted. This application has not yet been determined due to a number of design and car parking and access issues that are yet to be resolved.

History:

Date	Comment
11 February 2003	Council Approval granted for demolition of existing office and construction of two storey office building and associated car parking –

Date	Comment
	not implemented
24 May 2005	Council Approval granted for demolition of existing office and construction of two storey office building and associated car parking – not implemented

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	13 August 2014 to 27 August 2014
Comments Received:	One (1) objection received

Summary of Comments Received:	Officers Comment:
The front building should be retained and build to the rear to ensure retention of one of the last remaining character buildings on Beaufort Street	The City's Heritage Officers have undertaken an assessment of the existing building, and found that it did not meet the criteria required for retention on heritage grounds.

LEGAL/POLICY:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1; and
- Mount Lawley Precinct Policy No. 7.1.11;

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2018 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 2013-2018 states:

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

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

ENVIRONMENTAL
The demolition of the built environment can have a significant adverse effect on the environment and the sustainable use of resources.

SOCIAL
Nil.

ECONOMIC
The construction of any future buildings on site and demolition of the existing building will provide short term employment opportunities.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Building

Demolition Permit required.

Technical Services

Demolition Management Plan required.

Health

No objection to proposed demolition.

Heritage Assessment

The subject building at No. 612 Beaufort Street, Mount Lawley was built as a brick and iron dwelling constructed circa 1895 in the Federation Bungalow style of architecture. The subject place was most recently occupied by a real estate agency as an office.

The place is a rendered brick and iron building with a double room frontage and central front entry. The place has a bullnose verandah supported by turned timber posts and the northern front room protrudes slightly forward such that it is flush with the front verandah.

A full Heritage Assessment has been undertaken by the City's Officers in 2003 which indicates that the place has *little* cultural heritage significance and does not meet the threshold for entry on the City's Municipal Heritage Inventory.

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

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

a Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.

Conclusion

The existing office building has been in a state of disrepair for a number of years since excavation works were undertaken on the adjoining site. The building has had structural supports added to the exterior of the building to hold it up, and more recently been the subject of a fire as a result of vagrants living in the building. The building in its existing state currently has no value to the streetscape, and heritage have no objection to its demolition.

The City's Health and Compliance Departments have previously been involved in trying to ensure the site remains secure and is not a danger to the public.

On 4 March 2014 a Development Application for the demolition of the existing office building and construction of two storey office building and associated car parking was submitted. The applicant has been advised that it will not be supported in its current format. Discussions are under way to provide the City with an amended scheme.

Notwithstanding the above comments, a structural engineers assessment has been provided to the City which states that the structure is unstable and a fire risk to adjoining properties.

In considering an application for or involving demolition, Council is required to have regard to Clause 41 – Determination of an Application for Demolition of Town Planning Scheme No. 1 which states that Council may defer consideration of an application for demolition until:

- (i) It has granted planning approval for subsequent development of the relevant site;*
- (ii) It has issued a building licence for that development; and*
- (iii) It is satisfied that the subsequent development will commence*

A number of conditions reflecting the above criteria are therefore recommended in the event that the demolition is supported.

Given that there is evidence that the building is structurally unsound, and the City's Health and Compliance departments have previously been involved in the securing of the site to protect the public, it is recommended that the demolition be supported in this instance, and conditional approval be granted.

9.1.2 No. 146 (Lot: 93 D/P: 2001) East Parade, East Perth – Proposed Demolition of Existing Single House and Construction of Three Storey Multiple Dwelling Comprising Five (5) One Bedroom One (1) Two Bedroom Multiple Dwellings and Associated Car Parking

Ward:	South	Date:	29 August 2014
Precinct:	P15 - Banks Precinct	File Ref:	PRO6143; 5.2014.297.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicants submission dated 27 May 2014 003 – Additional information from applicant 004 – Main Roads comments		
Tabled Items:	Nil		
Reporting Officer:	P Stuart – Planning Officer (Statutory)		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Franco Carozzi Architects on behalf of the owners, G M Edwards & M F Newman for the Proposed Demolition of an existing single house and construction of a Three Storey Building Comprising Five (5) One Bedroom Multiple Dwellings, One (1) Two Bedroom Multiple Dwelling and Associated Car Parking at No. 146 (Lot: 93 D/P: 2001) East Parade, East Perth and as shown on plans date-stamped 28 May 2014, included as Attachment 001, 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. 150 East Parade, East Perth in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the City's satisfaction;

2. **Car Parking and Accessways**

2.1 A minimum of six (6) residential car bays and one (1) visitor bay, are to be provided on site for the development;

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

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

3. 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 Newcastle Street;

4. All the privacy screening shown on the floor and elevations plans shall comply with the requirements of the Residential Design Codes WA 2013;

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

6. **PRIOR TO THE SUBMISSION 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 Multiple Dwelling Policy No. 7.4.8 for the development site and adjoining road verge shall be submitted to the City for assessment and approval;

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

- 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;

6.2 **Acoustic Report**

An Acoustic Report shall be prepared and submitted to the City for approval, in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation. 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;

6.3 **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;

6.4 **Sustainability**

An ARActive Abode report shall be prepared and submitted demonstrating the following sustainability performance outcomes:

- 6.4.1 That the final design achieves a minimum 8 Star ARActive rating for Energy;
- 6.4.2 That the final design achieves a minimum 4 Star ARActive rating for Water and incorporates the highest efficiency WELS rated tap ware, toilets, showers and fixed appliances throughout; and
- 6.4.3 That the final design achieves a minimum 5 Star ARActive rating for Liveability.

The ARActive report is to list the design features and sustainability measures incorporated into the final design in order to achieve the above ARActive star ratings;

7. **PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, the following shall be completed to the satisfaction of the City;**
- 7.1 **Clothes Drying Facility**
- Each multiple dwelling shall be provided with a clothes drying facility to be incorporated into the development in accordance with the City's Policy No. 7.4.8 relating to Development Guidelines for Multiple Dwellings or the Residential Design Codes of WA 2013;
- 7.2 **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;
- 7.3 **Residential Bicycle Bays**
- A minimum of two (2) residential bicycle bays to be provided on-site. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3;
- 7.4 **Management Plan-Vehicular Entry Gates**
- Any proposed vehicular entry gates to the car parking area shall have a minimum 50 per cent visual permeability and shall be either open at all times or a plan detailing management measures for the operation of the vehicular entry gates, to ensure access is readily available for residents/visitors to the residential and commercial units at all times, shall be submitted to and approved by the City;
- 7.5 **Landscaping**
- With regard to condition 6.1, all 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); and
- 7.6 **Section 70A Notification under the Transfer of Land Act**
- A notification shall be lodged on the Certificate(s) of Title under Section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:
- 7.6.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units. The on-site car parking accords with the requirements of the Residential Design Codes of WA 2013 and the City's Policy No. 7.7.1 relating to Parking and Access;
8. **A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;**
9. **The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City;**
-

10. **Redundant driveways shall be removed and the verge and its vegetation shall be made good at the full expense of the applicant. (Main Roads WA);**
11. **No Earthworks shall encroach onto the East Parade road reserve (Main Roads WA);**
12. **No stormwater drainage shall be discharged onto the East Parade road reserve (Main Roads WA); and**
13. **The existing levels on the East Perth road reserve boundary are to be maintained as existing. (Main Roads WA).**

ADVICE NOTES:

1. **With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls; and**
2. **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.**
3. **With reference to condition 6.2 an acoustic report must satisfy all provisions of the relevant State Planning Policy.**

PURPOSE OF REPORT:

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

BACKGROUND:

Nil.

History:

Nil.

Previous Reports to Council:

Nil.

DETAILS:

Landowner:	G M Edwards & M F Newman
Applicant:	Franco Carozzi Architects
Zoning:	Residential R60
Existing Land Use:	Single house
Use Class:	Multiple Dwellings
Use Classification:	"P"
Lot Area:	492 square metres
Right of Way:	Yes

The application proposes demolition of an existing single house on the property and Construction of a Three Storey Building Comprising of Five (5) One Bedroom Multiple Dwellings, One (1) Two Bedroom Multiple Dwelling and Associated Car Parking.

ASSESSMENT:

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

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

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

Issue/Design Element:	Street Setbacks
Requirement:	Residential Design Elements SADC 5 Ground Floor– 5.26 metres Upper Floor – A minimum of two metres behind lower floor (7.26 metres)
Applicants Proposal:	Ground Floor – 2.0 metres (Variation of 3.26 metres) First Floor – Directly Above (Variation of 5.26 metres)
Design Principles	Residential Design Elements SPC 5 Development is to be appropriately located on site to: <ul style="list-style-type: none"> • maintain streetscape character; • ensure the amenity of neighbouring properties is maintained; • allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • facilitate solar access for the development site and adjoining properties; • protect significant vegetation; and • facilitate efficient use of the site. <p>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>
Applicant justification summary:	<i>"The scale and bulk of the proposed development has been significantly reduced by articulating the building into three separate vertical blocks that are visually separated by the main circulation core and apartments three and five's balconies."</i> A full statement of justification is attached to this report.

Issue/Design Element:	Street Setbacks
Officer technical comment:	<p>Supported. The City's Development Advisory Committee (DAC) at their consideration of the proposal advised a lesser setback contributes to a better streetscape as a result of the style and density of the development. It is considered that entire streetscape is in transition with a number of new residential developments expected due specifically to its location relative to East Perth Train Station (This accords to the Transit Oriented Design objectives outlined in State Policy).</p> <p>The articulated design fronting East Parade is complimented with large openings as well as the inclusion of colour and finish. These elements help to maintain the emerging streetscape pattern of the streetscape.</p> <p>The design of the front area of the building towards the middle of the lot, allows for significant areas of light and ventilation to permeate through to the adjoining dwellings on the northern and southern sides. It also allows for privacy and any impacts of building bulk to be ameliorated. This in effect enables the amenity of the adjoining dwellings to be maintained.</p> <p>The design of the building and the access of the property down the southern side of the property allows significant levels of landscaping to soften the appearance of the building to the street.</p>

Issue/Design Element:	Building Setbacks
Requirement:	<p>Residential Design Codes Clause 6.1.4 North Upper floor stairwell= 4.3 metres</p>
Applicants Proposal:	<p>North Upper floor stairwell = 3.3 metres</p>
Design Principles	<p>Residential Design Codes Clause 6.1.4 P4.1 Buildings setback from boundaries or adjacent buildings so as to:</p> <ul style="list-style-type: none"> • ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them; • moderate the visual impact of building bulk on a neighbouring property; • ensure access to daylight and direct sun for adjoining properties; and • assist with protection of privacy between adjoining properties.
Applicant justification summary:	<p><i>Nil.</i></p>
Officer technical comment:	<p>Supported. The proposal complies with overshadowing and overlooking. The entire northern facade is highly articulated resulting in minimisation of building bulk. It also results in sufficient south-western ventilation to occur as a direct result of the building design.</p> <p>Given the above, it is considered that the variations to the building setbacks can be supported as there will be minimal impact on the adjoining properties in terms of restricting light and ventilation.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	10 July 2014 – 31 July 2014
Comments Received:	Four (4) Comments received with Two (2) Objections and Two (2) Support

Summary of Comments Received:	Officers Technical Comment:
<p><u>Traffic and Parking</u></p> <ul style="list-style-type: none"> • There is insufficient visitors bays on site which may result in people parking on the East Parade Verge as the East Parade Train Station Park is paid, thus being less desirable an alternative; and the verge is not particularly safe. • The laneway is not wide enough to support the additional density 	<p>Not Supported. The proposed development is compliant with car parking and the bicycle requirements of the Residential Design Codes. The proximity to the train station is likely to reduce car parking in turn.</p> <p>The laneway is required to be used as the primary access point via City Policy (Residential Design Elements) and via Main Roads WA. The developer has been required to cede one metre (1m) of land at the rear for the purposes of laneway widening. It is anticipated that all new developments will require ceding of the additional metre resulting in the laneway a continuous six metres (6m) in width.</p>
<p><u>Out of Context</u></p> <p>The development being a three storey multiple dwelling construction is out of context with the streetscape, which has seen a number of recently built single dwellings.</p>	<p>Not Supported. The development's proximity to the train station along with the R60 density is a desirable outcome in terms of the anticipated future development of the locality, and the orderly and proper planning of the locality.</p> <p>Multiple dwellings and mixed use developments are highly encouraged when in vicinity of high frequency public transport as it been shown to reduce the reliance on private transport as well as increasing community vibrancy (see SubiCentro).</p>
<p><u>Landscaping</u></p> <p>How will the landscaping be maintained?</p>	<p>Noted. The landscaping provided is to be maintained appropriately and is conditioned accordingly. It is noted further that it is in the occupier's interest that the property be maintained to ensure the building is maintained to its optimum. A standard agreement of occupation is that all vegetation on-site be well maintained to ensure the upkeep of the premises. The strata body would need to employ a landscaper to maintain the hard landscaping on-site.</p>

Summary of Comments Received:	Officers Technical Comment:
<p><u>Privacy</u></p> <p>Only concern is the position/size of the bedroom window on the first floor at the rear of the property because this overlooks my back yard and would affect neighbouring properties' privacy.</p>	<p>Noted. All windows are compliant with the requirements of the Residential Design Codes in relation to setbacks from boundaries and/or sill heights.</p>

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

Internal Consultation:

Heritage Comments:

The proposed development application involves the demolition of the existing single house at No. 146 East Parade, East Perth. The subject property is not listed on the City's Municipal Heritage Inventory (MHI) or the MHI Review List.

A preliminary heritage assessment indicates that the place has little aesthetic, historic, scientific or social heritage significance and the place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered. In accordance with the City's Policy No. 3.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

In light of the above, approval of the demolition of the existing single house subject to the standard condition of a demolition permit being obtained is applied.

Design Advisory Committee:

Referred to Design Advisory Committee: Yes

The proposal was referred to the City's DAC on the 05 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).

- *With the new TPS No. 2, the zoning will change to R100.*
- *One of the better multi-residential developments seen at the DAC. Proposal includes an apartment at street front ground level with car parking at rear. Building mass is well articulated. Scale relates well to surrounding area. Materiality is appropriate. Good definition of public and private spaces. Well planned efficient one bedroom apartments thus providing generous spaces.*
- *Building articulation is sensible. Separation of building mass with circulation core and open balconies provides permeability, allowing for breezes and views through the site. Contributes to amenity for occupants and neighbours.*
- *A few issues require addressing. Location of stores 3 and 4 works against the above, restricting breezes and access to northern solar gain to balconies. Consider relocating these to have no impact on amenity. Vincent to explore opportunity to lose a visitor bay (given proximity to train station) to provide ground floor area for these stores.*
- *The front setback is non compliant. However the DAC would encourage Vincent to consider varying this in light of changing building typologies as these sites develop, and future desired character when TPS2 increases density to R100.*

- *It would be preferable to have an active habitable use to Apartment 1 to the street, rather than a bedroom. If the plan were flipped or redesigned so that the kitchen is in the place of bedroom, the front fence could then be more permeable, street activation and passive surveillance would be improved. The courtyard could be made larger if desired.*
- *Consider then raising the ground floor level (of the apartment and courtyard) to be half a metre or so above footpath level to improve privacy to courtyards and internal spaces (pedestrians etc then see more ceiling than interior activity).*
- *Consider the qualities of the roof garden.*
- *Consider improving ventilation through circulation core. Louvred glass etc.*
- *Improve pedestrian access to Apartment 6. Provide a clearly defined path from the street to the stair entry (a change of surface material would suffice) and either relocate the door entry to the private secure side of the car park or provide two doors.*
- *Ensure all laundries are compliant.*
- *Confirm overshadowing is compliant. Overshadowing could be reduced by removing the glazed gables to the south. Roof line could be then be simplified.*
- *Consider whether shading/shelter could be provided to the entry stairs.*

Recommendation:

This is one of the better multi-residential developments seen by the DAC. Well planned efficient one bedroom apartments. Proposal includes an apartment at street front ground level to provide opportunity for street engagement, and car parking is at the rear, accessed from the rear lane. Building mass is well articulated. Scale relates well to the surrounding area. Materiality is appropriate. Good definition of public and private spaces. Only a few issues require attention -- to optimise street engagement/activation and occupant and neighbouring amenity – to gain DAC support.

Mandatory:

- *Improve street engagement and activation. Consider placing an active use, rather than a bedroom, at the street front. This will reduce the requirement for privacy and allow greater permeability to the front wall.*
- *Relocate stores 3 and 4 to remove impact on amenity. Current locations restrict breezes and access to northern solar gain to balconies.*
- *Explore with Vincent the opportunity to lose a visitor bay (given proximity to train station) to provide ground floor area for these stores.*
- *Explore with Vincent the opportunity to vary the setback requirements. The DAC would support this in light of changing building typologies as development occurs and future desired character when TPS2 increases density to R100.*
- *Improve the pedestrian access to Apartment 6. Provide a clearly defined path from the street (differ surface treatment) to the stair entry and either relocate the door entry to the private secure side of the car park or provide two doors.*
- *Ensure all laundries are compliant.*
- *Confirm whether overshadowing is compliant.*

Design Considerations:

- *Raise the ground floor level (of the apartment and courtyard) to be half a metre or so above footpath level to improve privacy to courtyards and internal spaces.*
 - *Increase the size of the front courtyard if desired.*
 - *Overshadowing could be reduced by removing the glazed gables to the south. Roof lines could be then be simplified.*
 - *Develop the roof garden – provide more detail on its qualities.*
 - *Consider improving ventilation through circulation core. Louvered glass etc.*
 - *Consider whether shading/shelter could be added to the entry stairs.*
-

The applicant has amended the plans to satisfy as best possible the mandatory items requested by DAC. A full explanation by the applicant has been attached to this report.

In view of the above amendments to the design as noted and recommended at the original meeting of DAC, the City's Planning staff feel that the proposed development is deemed to have generally addressed the mandatory requirements of the DAC. Given the proposal is a three (3) 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 Three (3) Storey Multiple Dwelling Development Comprising ten (10) 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
- Mount Hawthorn Precinct Policy No. 7.1.1.

RISK MANAGEMENT IMPLICATIONS:

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

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.

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.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

Comments:

The proposed development complies with all relevant requirements with the exception of the street setback to East Parade frontage, and to the northern second floor elevation. It is considered that the proposed built form is of a scale and nature that is appropriate for the site. In addition the design has been well considered through the DAC process to facilitate a more contextually appropriate proposal.

The street setbacks proposed provide an articulated and attractive street form that will fit well with the anticipated future streetscape of East Parade. The streetscape is in strategic transition with a higher density anticipated for the area. The strategy accords with the DAC advice that the future context is most important in consideration of this setback rather than that existing.

The proposed northern and southern elevations are considered to be well articulated to afford the subject and adjoining properties good access to light and ventilation, reduction in bulk and the maintaining of privacy. With the variation to the required setbacks considered to be minor. This fact was commended by the DAC.

Conclusion

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 similar developments along East Parade. This portion of properties opposite the East Perth Train Station is considered to be in transition from a typical single house on large block street characteristic to a smaller lot apartment style appearance. The appearance of the built form meets the contemporary developments that are expected in future proposals.

In light of the above, it is recommended that demolition of the existing single home and replacement with the proposed development be approved subject to the above mentioned conditions.

9.1.3 No. 161 (Lots: 14 & 15 D/P: 1509) Loftus Street, Leederville – Proposed Demolition of Existing Single House Construction of Three Storey Multiple Dwelling Comprising Ten (10) Multiple Dwellings and Associated Car Parking

Ward:	North	Date:	29 August 2014
Precinct:	Leederville ; P3	File Ref:	PRO6241; 5.2014.311.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicants submission dated 3 June 2014 003 – Applicants justification summary 004 – Additional information from applicant		
Tabled Items	Nil		
Reporting Officer:	P Stuart, Planning Officer (Statutory)		
Responsible Officer:	P Mrdja, Acting Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by GDD Design Group on behalf of the owner Patrick Doran-Wu, for the Proposed Demolition of an Existing Single House and Construction of a Three (3) Storey Multiple Dwelling Development Comprising Ten (10) Multiple Dwellings and Associated Car Parking at No. 161 (Lots 14 & 15; D/P 1509) Loftus Street, Leederville and as shown on amended plans date-stamped received 19 August 2014, included as Attachment 001, 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. 159 Loftus Street, Leederville in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork to the City's satisfaction;

2. **Car Parking and Accessways**

2.1 A minimum of ten (10) residential car bays and two (2) visitor bays, are to be provided on site for the development;

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

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

3. 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 Newcastle Street;

4. All the privacy screening shown on the floor and elevations plans shall comply with the requirements of the Residential Design Codes WA 2013;

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

6. **PRIOR TO THE SUBMISSION 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 Multiple Dwelling Policy No. 7.4.8 for the development site and adjoining road verge shall be submitted to the City for assessment and approval;

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

- 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; and
- 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;

6.2 **Acoustic Report**

An Acoustic Report shall be prepared and submitted to the City for approval, in accordance with the City's Policy No. 7.5.21 relating to Sound Attenuation. 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;

6.3 **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;

6.4 **Sustainability**

An ARActive Abode report shall be prepared and submitted demonstrating the following sustainability performance outcomes:

- 6.4.1 That the final design achieves a minimum 8 Star ARActive rating for Energy;
- 6.4.2 That the final design achieves a minimum 4 Star ARActive rating for Water and incorporates the highest efficiency WELS rated tap ware, toilets, showers and fixed appliances throughout; and
- 6.4.3 That the final design achieves a minimum 5 Star ARActive rating for Liveability.

The ARActive report is to list the design features and sustainability measures incorporated into the final design in order to achieve the above ARActive star ratings; and

6.5 Underground Power

In keeping with the City's Policy No. 2.2.2 relating to Undergrounding of Power, the power lines along the Loftus Street frontage 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;

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 \$300,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development \$ 30,000,000; and

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

8.1 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility to be incorporated into the development in accordance with the City's Policy No. 7.4.8 relating to Development Guidelines for Multiple Dwellings or 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 three (3) residential bicycle bays and one (1) visitor bay to be provided on-site. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3;

8.4 Management Plan-Vehicular Entry Gates

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

8.5 Landscaping

With regard to condition 6.1, all 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); and

8.6 Section 70A Notification under the Transfer of Land Act

A notification shall be lodged on the Certificate(s) of Title under Section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

8.6.1 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units. The on-site car parking accords with the requirements of the Residential Design Codes of WA 2013 and the City's Policy No. 7.7.1 relating to Parking and Access;

9. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site; and
10. The development is to comply with all Building, Health and Engineering Services conditions and requirements to the satisfaction of the City.

ADVICE NOTES:

1. With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls; and
2. 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.
3. With reference to condition 6.2 an acoustic report must satisfy all provisions of the relevant State Planning Policy.

PURPOSE OF REPORT:

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

BACKGROUND:

Nil.

DETAILS:

Landowner:	P Doran-Wu
Applicant:	GDD Design Group
Zoning:	Residential R60
Existing Land Use:	Single House
Use Class:	"P"
Use Classification:	Multiple Dwellings
Lot Area:	1068 square metres (total)
Right of Way:	Yes at rear

The proposed application is for the Demolition of Existing Dwelling and Construction of Three (3) Storey Multiple Dwelling Development Comprising Ten (10) 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	✓		
Street Walls and Fencing	✓		
Street Setback	✓		
Lot Boundary Setbacks	✓		
Building Height	✓		
Landscaping	✓		
Open Space	✓		
Roof Forms			✓
Bicycles	✓		
Access & Parking	✓		
Privacy			✓
Solar Access	✓		
Site Works	✓		
Utilities & Facilities	✓		
Surveillance	✓		

Town Planning Scheme/Residential Design Codes Assessment

Issue/Design Element:	Street Setbacks
Requirement:	Residential Design Codes Balcony – 7.5 metres (affected adjoining site has density code of R40)
Applicants Proposal:	Balcony set back 6.0 metres from adjoining property
Design Principles	Residential Design Codes (6.4.1) P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through: <ul style="list-style-type: none"> • building layout, location; • design of major openings; • landscape screening of outdoor active habitable spaces; and/or • location of screening devices. P1.2 Maximum visual privacy to side and rear boundaries through measures such as: <ul style="list-style-type: none"> • offsetting the location of ground and first floor windows so that viewing is oblique rather than direct; • building to the boundary where appropriate; • setting back the first floor from the side boundary; • providing higher or opaque and fixed windows; and/or • screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).
Applicant justification summary:	<i>Nil – compliance presumed</i>

Issue/Design Element:	Street Setbacks
Officer technical comment:	<p>Not supported. The applicant has designed the balcony to be compliant with the density applicable to the site. However the R-Codes explicitly state that where the subject site and an affected adjoining site are subject to different R-Codings, the setback distance is determined by reference to the lower density code. The affected adjoining site is zoned with a density of R40. Therefore the larger cone of vision distance of 7.5m applies.</p> <p>The proposed privacy requirements are required to be compliant and therefore conditioned to be screened accordingly. Thereby enabling compliance with the deemed to comply requirements of the Residential Design Codes of WA 2013. A condition requiring that the Apartment No. 10 balcony be screened to a height of 1.6 metres has been recommended.</p>

Issue/Design Element:	Roof Forms
Requirement:	Residential Design Elements Policy BDADC 3 30-45 degrees
Applicants Proposal:	18.4 degrees
Design Principles	<p>Residential Design Elements Policy BDPC 3</p> <p>(i) The roof of a building is to be designed so that:</p> <ul style="list-style-type: none"> • It does not unduly increase the bulk of the building; • In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and • It does not cause undue overshadowing of adjacent properties and open space.
Applicant justification summary:	Nil – compliance presumed.
Officer technical comment:	Supported. The proposed roof pitch is contemporary in nature and complements the existing streetscape. The low roof pitch also reduces the scale of the building to the street.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	24 June 2014 - 15 July 2014
Comments Received:	Three (3) Comments received with three (3) Objections.

Summary of Comments Received:	Officers Technical Comment:
<p><u>Issue: Scale of Building</u></p> <ul style="list-style-type: none"> • R-60 allows a minimum of 120sqm - 150sqm per dwelling, based on the site being 1068sqm this would allow between 7 to 8.9 dwellings, the application has 10 APARTMENTS proposed which exceeds the maximum therefore should NOT be accepted; • 3 dwellings must provide diversity ensuring a range of TYPES and sizes. The proposed is all 2 x 2 apartments (10), this is not catering for a variety of occupants. 	<p>Not supported. The density of R60 carries with it the ability to construct multiple dwellings. The City is obliged to zone for multiple dwellings, and has determined that sites adjoining major roads such as this are the best possible locations. The dwelling variety and outdoor living areas complies with the R-Codes clauses set out in part 6.</p>

Summary of Comments Received:	Officers Technical Comment:
<ul style="list-style-type: none"> R60 minimum outdoor living area is 16sqm. The proposed development has several of the apartments at 12sqm, this is not adequate given the 2 bed x 2 bath apartment configuration, encouraging up to 4 adults per unit. The courtyards of apartment 1 & 2 are within the front street setback R-CODE 5.3.1 	
<p><u>Issue: Car Parking and Traffic</u></p> <ul style="list-style-type: none"> The proposed plans indicate 12 carbays. This is highly inadequate given the apartments are designed as 2 double bedroom x 2 bathroom, clearly aiming at adult occupants. There could be as many as 4 adults per apartment, all with cars. The additional pressure that would impact the street parking (already a huge problem) would be excessive and does NOT meet the R-CODES 6.3.3 page 27 design principles. I live in Leederville and the inadequate street parking is a major issue, simply because there is NOT enough on site parking provided by multiple dwelling developments. This problem really needs to be addressed in a serious manner. The rear access is extremely narrow and not suitable for use by that number of drivers regularly. It is not a street. It is a rear access, extremely narrow; currently we can barely drive through moving extremely slowly in order to avoid accidents with small cars, impossible with 2 large cars. There is NOT enough onsite parking provided by multiple dwelling developments. This problem really needs to be addressed in a serious manner. 	<p>Not Supported. The proposed development is compliant with car parking and the bicycle requirements of the Residential Design Codes. Furthermore, the right-of-way access is required to be used in accordance with the City's Policy Residential Design Elements.</p>
<p><u>Issue: Privacy</u></p> <ul style="list-style-type: none"> The proposed apartments have balconies overlooking into abutting properties enabling views into rooms forcing neighbours to cover windows at all times 	<p>Supported. The balcony within 7.5m of the rear boundary is required to be screened for privacy.</p>

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

Internal Consultation

Heritage Comments

The proposed development application involves the demolition of the existing property at No. 161 Loftus Street. The subject property is not listed on the City's Municipal Heritage Inventory (MHI) or the MHI review List.

A preliminary heritage assessment indicates that the place has little aesthetic, historic, scientific or social heritage significance and the place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered. In accordance with the City's Policy No. 3.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

In light of the above, approval of the demolition of the existing single house subject to the standard condition of a demolition permit being obtained is applied.

Design Advisory Committee:

Referred to Design Advisory Committee: Yes

The proposal was referred to the City's DAC on the 04 December 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).

- *A 'big house' style apartment.*
 - *Front elevation has the appearance of very large house/institutional building.*
 - *Apartments going up Galway Street could be stepped, breaking the roof line, better articulating and reducing building mass and giving the appearance of multiple dwellings. Stepping is achievable without significant redesign. Would also reduce amount of blank walls under the courtyards facing the street. Retaining a raised internal floor level will assist to provide privacy.*
 - *Apartments have too many corridors. Wasted space results in smaller apartment areas. Consider redesign to absorb corridors into the rooms, increasing usable space.*
 - *Dual aspect apartments are commendable, however they are currently divided by kitchen / corridor walls which will inhibit cross ventilation, views etc. Moving the kitchen to the shared walls would open up the plan to allow views out each side and cross ventilation through.*
 - *Each apartment should have its own lobby.*
 - *Ground Floor – Apartments 1 and 2 are currently entered from the rear only. If entry was also provided through the front of the building it would create street engagement and activation.*
 - *Single aspect to ground floor apartments is not ideal. Partly below ground.*
 - *Apartment 1 second bedroom is likely to be very dark due to very deep overhang.*
 - *Apartment 2 second bedroom window needs to be increased to allow extra daylight. Blank high wall below courtyard to Galway St. Review to see if further openings to bedroom and bathroom to Apartment 2 is possible.*
-

- *Consider the amenity to bedrooms to Apartments 4, 5 and 6 facing onto the car park / bins. Create a transitional screening zone between the bedrooms and the car park.*
- *Having parking up at level 1 creates a large blank boundary wall to the south, up to 5 metres high. Overshadowing would have a big impact on neighbours due to the bulk and scale.*
- *Suggest redesign of car parking to better capitalise on site contours to reduce impact on neighbours. Exploit level change to provide separation between bedrooms and car parking.*
- *Develop section drawings for clarity.*
- *Consider if it is necessary to set back the fence on Loftus Street with landscaping in front. This area could be internalised and provide extra amenity for the occupants.*
- *The northern balconies are well placed but could be bigger. Under a very deep overhang. This would reduce benefits of good northern access. The ground floor balconies might need to be deeper to be more useable.*
- *Why are upper floor balconies separated from elevation elements?*
- *Provide views out / day lighting for stairwells.*
- *Landscaping shortfalls to private areas.*
- *Consider ramp gradients.*

Recommendations from DAC:

This proposal requires some redesign to significantly improve occupant amenity, better capitalise on site contours, reduce impact on neighbouring properties, break up building mass and strengthen its appearance as multiple dwellings. Notably, the car parking arrangement results in a 5m high blank retaining wall to the side boundary, which will impact on the neighbours and the streetscape.

Mandatory:

- *Redesign car parking. Relocate from level 1 removing large blank boundary wall to the south (currently up to 5 metres high) as it will have an undue impact on neighbouring property. Reconsider the site strategy to better capitalise on site contours.*
 - *Develop section drawings for clarity.*
 - *Develop elevations to provide the appearance of multiple dwellings.*
 - *Improve building articulation and reduce building mass. Consider stepping apartments to Galwey St, breaking the roof line, to strengthen the appearance of multiple dwellings.*
 - *Improve cross ventilation of apartments. Maintain access to northern solar access to most apartments.*
 - *Improve the efficiency of apartment layouts. Reduce corridors and increase usable space. To achieve this, consider moving the kitchen to the shared walls to open up the plan, capitalise on their dual aspect, allow views out each side and improve cross ventilation.*
 - *Provide a lobby for each apartment.*
 - *Allow additional entry to apartments 1 and 2 from Loftus St to enhance street engagement and activation.*
 - *Optimise access to daylight and ventilation to ground floor (partly below ground) apartments.*
 - *Increase day lighting to Apartment 1 second bedroom.*
 - *Increase day lighting and ventilation to Apartment 2 second bedroom. Investigate if this is possible via area that is currently a retained, elevated courtyard base to Galwey St.*
 - *Improve amenity to bedrooms to Apartments 4, 5 and 6, by providing a transitional screening zone between the bedrooms and the car park/bins. Exploit level change to provide separation.*
 - *Provide views out/day lighting for stairwells.*
-

Design Considerations:

- *Consider if it is necessary to set back the fence on Loftus Street with landscaping in front. This area could be internalised and provide extra amenity for the occupants.*
- *Increase the depth of northern balconies or reduce the depth of the roof overhang to optimise the benefits of northern orientation. Consider extending to meet façade element and reducing width, providing opportunity for separation between and outlook from stairwells.*
- *Retain a slightly raised internal floor level to ground floor apartments, in relation to the street, to assist privacy.*
- *Investigate whether ground floor balcony size could be increased.*

The applicant has amended the plans to satisfy as best possible the mandatory items requested by DAC. A full explanation by the applicant has been attached to this report.

In view of the above amendments to the design as noted and recommended at the original meeting of DAC, the City's Planning staff feel that the proposed development is deemed to have generally addressed the mandatory requirements of the DAC. Given the proposal is a three (3) 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 Three (3) Storey Multiple Dwelling Development Comprising ten (10) 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
- Mount Hawthorn Precinct Policy No. 7.1.1.

RISK MANAGEMENT IMPLICATIONS:

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

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.

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.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

Comments

The proposed development complies with all relevant requirements with the exception of those discussed. It is considered that the proposed built form is of a scale and nature that is appropriate for the site. In addition the design has been well considered through the DAC process and amendments appropriately incorporated to facilitate a more thought out proposal.

The street setbacks proposed provide an articulated and attractive street form that will fit well with the developing streetscape of Loftus Street. The main variation is in relation to the balcony portion of Unit 10 which intrudes into the rear adjoining neighbour's property.

The proposed western and eastern elevations are considered to be well articulated to afford the subject and adjoining properties good access to light and ventilation, reduction in bulk and the maintaining of privacy.

The remaining variations to roof form and surveillance are also considered minor and will not impact the existing streetscape.

Conclusion

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 similar developments along Loftus Street. Loftus Street itself is considered to be in transition from a typical single house on large block street characteristic to a smaller lot apartment style appearance. The appearance of the built form meets the contemporary developments that have become common along the street.

In light of the above, it is recommended that demolition of the existing single home and replacement with the proposed development be approved subject to the above mentioned conditions.

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

Ward:	North	Date:	29 August 2014
Precinct:	North Perth Centre; P9	File Ref:	PRO0315; 5. 2014. 344.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Parking Study 003 – Applicant Submission dated 16 June 2014		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Planning Officer (Statutory) C Sullivan, Planning Officer (Statutory)		
Responsible Officer:	P Mrdja, A/Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY AN ABSOLUTE MAJORITY** the application submitted by H-J Ayres on behalf of the owners, Tegra Pty Ltd, Argyle Holdies Pty Ltd, Yalaba Pty Ltd, Silverjay Nominees Pty Ltd and Alcal Lauren Pty Ltd, for the Proposed Temporary Additional Use of Existing Car Park as Unlisted Use (Vintage Market) at No. 459 (Lot: 9, 10, 11, 12 D/P: 1647) Fitzgerald Street, and corner of Angove Street, North Perth as shown on plans date-stamped 16 June 2014, included as Attachment 001, subject to the following conditions:

1. The hours of operation for the Vintage Market shall be as follows:
 - 1.1 Stallholder “set-up” shall occur no earlier than 7:00am;
 - 1.2 Public access and sales shall only be conducted between 9:00am and 1:00pm;
 - 1.3 Stallholder “pack- up” shall be concluded by 2:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
 - 1.4 The Vintage Market is to only be in operation the last Sunday of every month;
2. A maximum of 45 stalls shall be in operation at any one time;
3. This approval for the Vintage Market is valid until 31 December 2015 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
4. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. The letter shall be approved by the City prior to distribution, which takes place ten (10) days prior to the commencement of the markets;

5. **PRIOR TO THE COMMENCEMENT OF THE VINTAGE MARKET USE, the Applicant shall:**
 - 5.1 **Submit Operational Guidelines and Market Rules to the City in accordance with the City's Policy *Guidelines for Markets in the City of Vincent*;**
 - 5.2 **Apply to the City's Health and Compliance Services for Public Building Approval under the *Health Act 1911*; and**
 - 5.3 **Submit a Waste Management Plan to the City for approval, to the satisfaction of the City's Director of Technical Services;**
6. **The type of stalls shall be limited to those specified in the Applicants submission;**
7. **A responsible representative of the Vintage Market shall be present on-site during the operation of the market (i.e. 7:00am to 2:00pm) to respond to any complaints or concerns; and**
8. **Compliance with all Technical Services, Building and Environmental Health specific requirements, to the satisfaction of the Chief Executive Officer.**

ADVICE NOTES:

1. **The Applicant shall;**
 - 1.1 **Ensure full compliance with the provisions of the Food Act 2008 and Australian New Zealand Food Standards Code. No food shall be sold to the public unless approved by the City's Health and Compliance Services Section;**
 - 1.2 **Obtain a Special Events Permit from the City's Health and Compliance Services Section for all temporary food stalls. Application forms together with the relevant fees shall be submitted at least fourteen (14) days prior to the commencement of trade;**
 - 1.3 **Ensure that sound levels created do not exceed the provisions of the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*;**
 - 1.4 **Ensure that any buskers operating in the market area comply with the following requirements. The buskers must:**
 - 1.4.1 **be in possession of a valid permit obtained from the City when busking (can be passed from one busker to the next, when the first busker finishes their act);**
 - 1.4.2 **not use inappropriate language, material, etc;**
 - 1.4.3 **remain within the subject site while undertaking their act;**
 - 1.4.4 **not impede or prevent any persons or pedestrians from going about their normal business; and**
 - 1.4.5 **not restrict ready access to the premises;**

- 1.5 **Ensure that any “A” frame signage placed on any land under the care, control and management of the City will be the subject of a Permit issued pursuant to the City of Vincent Local Government Property Local Law 2008;**
2. **The market area shall be in a clean and tidy condition during the market areas and will be cleaned to the satisfaction of the City, by 2:00pm on market days; and**
3. **The applicant should hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day.**

PURPOSE OF REPORT:

This proposal requires referral to Council given the interest of the matter by the community.

DETAILS:

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

The proposal is for a Vintage Market to be conducted within the Rosemount Hotel car parking area on the last Sunday of every month between 9:00am and 1:00pm. The application states that the market area is to cover the entire car parking area and will include forty five (45) stalls from various vendors selling vintage goods including clothing, vinyl, furniture, bric-a-brac, local food and beverage creators and community funded stalls doing bake sales.

The Applicant has provided brief details of how the Vintage Market will operate, included as Attachment 003. Prior to the commencement of the Markets, the applicant will be required to submit detailed Operational Guidelines to the satisfaction of the City.

The Vintage Market has been in operation 3 times over the last few months without approval being granted by the City. The markets have been held on the 25th May 2014, 29th June 2014 and 27th July 2014, and since commencing operations no complaints have been lodged with the City.

ASSESSMENT:

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

Issue/Design Element: Parking	
Car parking requirement (nearest whole number)	135 car bays
<ul style="list-style-type: none"> • Market – 3 spaces per stall provided (max of 45 stalls) Total car bays required = 135 car parking bays	

Issue/Design Element: Parking	
Adjustment factors	(0.576)
<ul style="list-style-type: none"> • 0.80 (The development is located within 400 metres of a bus route) • 0.80 (the development is within 200 metres of an existing off-street public car park with in excess of 50 car parking spaces.) • 0.90 (the development is located in a Town Centre.) 	77.76 car bays
Minus the car parking provided on-site	0
Minus the previously approved on-site car parking shortfall	N/A
Resultant Shortfall	77.76 car bays

Car Parking

The car parking shortfall is the result of the entire car park being utilised by the market. As the market is for a temporary use and will only be occupied one Sunday of every month for a few hours, the shortfall is not anticipated to have a detrimental impact on the surrounding area.

View Street and Wasley Street Car Parks

The subject site adjoins the City owned and controlled "View Street" car park, which contains 41 car bays, including 2 ACROD bays.

Also within a short walking distance from the subject site is the City owned and controlled "Wasley Street" car park which contains 48 car bays (including 2 ACROD bays).

The City's Rangers have provided details about the use of the public car parks in the area, where, the View Street and Wasley Street car parks are at approximately 8 per cent capacity from 8:00am to 10:00am due to the early morning cafes. There is an increase in the occupancy of the above two car parks closer to lunch time.

North Perth Plaza

The privately owned North Perth Plaza car park has 118 car bays. It is estimated that this car park operates between thirty (30) and fifty (50) per cent capacity during the proposed market operation times.

On-street Parking

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

Bicycle Parking

Bicycle Bays	
Bicycle bay requirement (nearest whole number)	45
<ul style="list-style-type: none"> • 1 space for stall (max of 45 stalls) 	45
Minus the bicycle bays provided on-site	0
Resultant Shortfall	45

There is bicycle parking available in the general vicinity of the site. Considering this it would be un-reasonable to require permanent bicycle parking on-site for a temporary use and the bicycle shortfall is considered acceptable in this instance.

Waste Management Plan and Litter Control

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

CONSULTATION/ADVERTISING:

A total of 333 letters were sent to owners and occupiers within a 200 metre radius of the proposed Vintage Markets.

Community Consultation resulted in no written community consultation submissions forms – a response rate of 0%.

This application has a classification for an “SA” unlisted use “Vintage Market”.

Required by legislation:	No	Required by City of Vincent Policy:	Yes
Comments Period:	23 July 2014 to 13 August 2014.		
Comments Received:	No written submissions were received during the community consultation process.		

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The City’s Strategic Plan 2013-2017 states:

“Community Development and Wellbeing

3.1 *Enhance and promote community development and wellbeing;*

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

SUSTAINABILITY IMPLICATIONS:

The City’s Strategic Plan 2013-2017 states:

“Promotes health and wellbeing in the community”.

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

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

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Heritage Services:

The subject place is listed on the City's Municipal Heritage Inventory as Management Category of B - Conservation Recommended.

The proposal involves the set up of a temporary farmers market at the car park of Rosemount Hotel.

It is noted that the proposed works involve no alteration to the original layout and fabric of the hotel and the temporary stalls are contained to the car park only. In accordance with the City's Policy No. 7.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties, it is considered that the proposed works will have no adverse impact on the heritage listed building.

In light of the above, the Heritage Officers have no objection to the subject application and no additional condition relating to heritage management is required.

Planning Services:

Temporary outdoor markets have become increasingly popular in recent years as a way of revitalising public spaces. Within the City of Vincent and surrounding area, a number of markets already have approval and have been operating successfully and proved popular with residents.

The proposed Vintage Market in the car park of the Rosemount Hotel would encourage new customers to the area, as well as appeal to existing customers of the area and help to improve the local economy.

No responses were received during the advertising period, but it is acknowledged that the proposed market would render the car park area temporarily unavailable on market days. However there are other parking options within the area as well as public transport or pedestrian/bike options to be used. It is considered that as it the market would be operational for only a few hours one day (Sunday) a month, the short term disruption that could be caused would be not be unreasonable.

CONCLUSION:

The proposed location for the Vintage Market is considered to be appropriate. A number of conditions and advice notes should be applied if approval is granted to ensure that the markets are appropriately managed. A time limited approval until 31 December 2015 is recommended to allow the operation to be monitored to ensure no detrimental impact to the amenities of surrounding properties is caused.

9.1.5 No. 590 & 596 (Lot: 48, 49 &50) Beaufort Street and corner of Barlee Street, Mount Lawley – Proposed Addition of Temporary Art Market (Unlisted Use) to Existing Car Park (Barlee Street Car Park)

Ward:	South	Date:	29 August 2014
Precinct:	Mount Lawley Centre; P1	File Ref:	PRO1751; 5.2014.391.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Parking Study 003 – Applicant Submission dated 15 May 2014		
Tabled Items:	Nil		
Reporting Officer:	A Groom, Planning Officer (Statutory) C Sullivan, Planning Officer (Statutory)		
Responsible Officer:	P Mrdja, A/Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY AN ABSOLUTE MAJORITY** the application submitted by L Thomas for the Beaufort Street Network on behalf of the owners, G & T Palassis and the City of Vincent for the Proposed Temporary Additional Use of an Existing Car Park as an Unlisted Use (Art Market) at No. 590 & 596 (Lot: 48, 49 &50) Beaufort Street and corner of Barlee Street, Mount Lawley as shown on plans date-stamped 7 July 2014, included as Attachment 001, subject to the following conditions:

1. The hours of operation for the Art Market shall be as follows:
 - 1.1 Stallholder “set-up” shall occur no earlier than 7:00am;
 - 1.2 Public access and sales shall only be conducted between 8:00am and 1:00pm;
 - 1.3 Stallholder “pack- up” shall be concluded by 2:00pm on market days after which time the car park shall be entirely available for vehicle parking; and
 - 1.4 The Art Market is to only be in operation the first Sunday of every month;
2. A maximum of 20 stalls shall be in operation at any one time;
3. This approval for the Art Market is valid until 31 December 2015 only and does not allow continuation of the use beyond that date. Should the applicant wish to continue the use after this date, it will be necessary to re-apply to and obtain approval from Council prior to continuation of the use;
4. Written notification of the outdoor markets shall be provided to all premises within a 200 metre radius of the site. The notification shall be in a letter form and is to include information relating to the opening times and activities of the markets. The letter shall include contact details of a responsible person who can be contacted throughout the operation times, including setup and take down. The letter shall be approved by the City prior to distribution, which takes place ten (10) days prior to the commencement of the markets;

5. **PRIOR TO THE COMMENCEMENT OF THE ART MARKET USE, the Applicant shall:**
 - 5.1 **Submit Operational Guidelines and Market Rules to the City in accordance with the City's Policy *Guidelines for Markets in the City of Vincent*;**
 - 5.2 **Apply to the City's Health and Compliance Services for Public Building Approval under the *Health Act 1911*; and**
 - 5.3 **Submit a Waste Management Plan to the City for approval, to the satisfaction of the City's Director of Technical Services;**
6. **The type of stalls shall be limited to those specified in the Applicants submission;**
7. **A responsible representative of the Art Market shall be present on-site during the operation of the market (i.e. 7:00am to 2:00pm) to respond to any complaints or concerns; and**
8. **Compliance with all Technical Services, Building and Environmental Health specific requirements, to the satisfaction of the Chief Executive Officer.**

ADVICE NOTES:

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

2. **The market area shall be in a clean and tidy condition during the market areas and will be cleaned to the satisfaction of the City by 2:00pm on market days; and**
3. **The applicant should hold a current Public Liability Insurance Cover for not less than \$20 million and shall indemnify the City against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the outdoor market. A copy of the Certificate of Currency shall be provided to the City at least seven (7) days prior to the commencement of the first Market day. A copy of the Certificate of Currency shall be provided to the City, no later than seven (7) days to the first market day.**

PURPOSE OF REPORT:

This proposal requires referral to Council given the interest of the matter by the community.

DETAILS:

Landowner:	G & T Palassis and City of Vincent
Applicant:	L Thomas for the Beaufort Street Network and L Kosova Chief Executive Officer
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Commercial
Existing Land Use:	Parking
Use Class:	Unlisted Use (Art Market)
Use Classification:	"SA"
Lot Area:	1507 square metres
Right of Way:	N/A

The proposal is for an Art Market to be conducted within the Barlee Street car park on the first Sunday of every month between 8:00am and 1:00pm. The proposed art market includes provision for 18-20 stalls offering a venue where individuals can sell their art pieces including paintings, sculptures or other items considered art pieces, handmade in Western Australia.

The applicant has provided brief details of how the Art Market will operate. Prior to the commencement of the Markets, the applicant will be required to submit detailed Operational Guidelines to the satisfaction of the City.

A temporary permit has been issued for the 7th September 2014, in accordance with the City's Minor Nature Development Policy No. 7.5.1.

ASSESSMENT:

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

Issue/Design Element: Parking	
Car parking requirement (nearest whole number) • Market – 3 spaces per stall provided (max of 20 stalls) Total car bays required = 60 car parking bays	60 car bays
Adjustment factors • 0.80 (The development is located within 400 metres of a bus route) • 0.80 (the development is within 200 metres of an existing off-street public car park with in excess of 50 car parking spaces.) • 0.90 (the development is located in a Town Centre.)	(0.576) 34.56
Minus the car parking provided on-site	0
Minus the previously approved on-site car parking shortfall	N/A
Resultant Shortfall	35 car bays

Car Parking

The car parking shortfall is the result of the entire car park being utilised by the market. As the market is for a temporary use and will only be occupied one Sunday of every month for a few hours, the shortfall is not anticipated to have a detrimental impact on the surrounding area.

Chelmsford Road and Raglan Road Car Parks

The subject site is located in close proximity the City owned and controlled “Chelmsford Road” car park, which contains 57 car bays, including 2 ACROD bays.

Also within a short walking distance from the subject site is the City owned and controlled “Raglan Road” car park which contains 87 car bays (including 2 ACROD bays).

The City’s Rangers have provided details about the use of the public car parks in the area, where, the Chelmsford Road and Raglan Road car parks are at approximately 11 per cent capacity from 8:00am to 10:00am due to the early morning cafes. There is an increase to approximately 90 per cent capacity closer to lunch time.

On-street parking

In the area surrounding the proposed art market there is substantial on-street parking with the provision of first hour free parking.

Bicycle Parking

Bicycle Bays	
Bicycle bay requirement (nearest whole number)	
• 1 space for stall (max of 20 stalls)	20
Minus the bicycle bays provided on-site	0
Resultant Shortfall	20

There is bicycle parking available in the general vicinity of the site which is considered to substantially cater for the anticipated demand. In addition the proposal is for a temporary use and as such the bicycle shortfall is considered acceptable in this instance.

Waste Management Plan and Litter Control

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

CONSULTATION/ADVERTISING:

A total of 700 letters were sent to owners and occupiers within a 200 metre radius of the proposed Art Markets.

Community Consultation resulted in 4 letters of support, 1 general concern and 5 objections – a response rate of 3.33%.

This application has a classification for an “SA” unlisted use “Art Market”.

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	1 August 2014 to 15 August 2014.
Comments Received:	4 letters of support, 1 general concern and 5 objections were received during the community consultation process.

Summary of Comments Received:	Officers Technical Comment:
Issue: <u>Amenity of nearby businesses and residents</u>	Not supported. Community markets are being established all over Australia with proven social, environmental and economic benefits being seen amongst the local communities and the local economy. The proposed art market will contribute to the revitalisation of Mount Lawley and support small-scale economic activity. The art market is anticipated to complement the existing retail and commercial businesses with flow-on spending in the other local businesses on market days.
Issue: <u>Lack of car parking</u>	Not supported. The proposal is for a temporary use only with the art market being located in an easily accessible site. The site is well serviced by public transport including frequent bus services and is located in short walking distance to the train line. In addition there are additional public car parks in the area to accommodate the anticipated increase in car parking demand during the market operating hours.
Issue: <u>Public Toilets</u>	Noted. Public toilets are not required to be provided for markets of this size. The City's Health Services can recommend that public toilets be provided on market days if the need for them arises.
Issue: <u>Rubbish Removal</u>	Noted. A waste management plan is required to be submitted to the City prior to the operations of the market commencing.

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

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

“Community Development and Wellbeing

3.1 *Enhance and promote community development and wellbeing;*

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2017 states:

“Promotes health and wellbeing in the community”.

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

ENVIRONMENTAL	
Issue	Comment
The market will be located within an already established car park.	

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Planning Services:

Outdoor markets are becoming increasingly popular throughout the City of Vincent area and are used as a way of facilitating connections between consumers, producers and the community. Farmers Markets are growing stronger in popularity with people increasingly caring about buying food locally to support local growers. The proposed art market relies on the strengths demonstrated by Farmers Markets including supporting and promoting local artists, creating community input and allowing smaller businesses to develop.

There is the potential that the Art Market and the sporting events held at Forrest Park may conflict and car parking will become congested and limited. Should this occur, it will negatively impact on the businesses operating along Beaufort Street and the car parking available to local residents which would give rise to complaints. Despite the car parking shortfall on the site, due to the temporary nature of the event and the proximity to public transport and public car parks, it is recommended that the proposal be supported subject to appropriate conditions.

CONCLUSION:

The location of the proposed Art Market is in a central, well established area. The proposed market would entice new customers to the area, as well as appeal to existing customers who would further add to the local economy.

In order to ensure that the market is managed properly to avoid adverse impact to the surrounding areas, a number of conditions and advice notes should be applied if Council approves the proposal. A restricted time limit until 31 December 2015 would allow the operation of the Market to be monitored to ensure it does not result in any negative impact to the amenity of surrounding properties.

9.2 TECHNICAL SERVICES

9.2.1 Proposed Traffic Calming – Angove Street, North Perth Progress Report No. 2

Ward:	North	Date:	29 August 2014
Precinct:	Smith's Lake (6)	File Ref:	SC1201, SC671
Attachments:	<u>001</u> – Proposed Plan No. 3155-CP-01		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council;

- APPROVES** the implementation of the proposed traffic calming for Angove Street, North Perth between Farmer and Daphne Streets, estimated to cost \$20,000, as shown on attached Plan No. 3155-CP-01;
- ADVISES** the respondents of its decision.

PURPOSE OF REPORT:

The purpose of this report is to seek Council's approval to implement traffic calming in Angove Street, North Perth.

BACKGROUND:

Ordinary Meeting of Council 24 June 2014 (Item 9.2.1):

In early March 2014 the City received a petition with eighty (80) signatories. Council approved in principle the implementation of the proposed traffic calming as below;

"That Council;

- APPROVES IN PRINCIPLE* the implementation of the proposed traffic calming for Angove Street, North Perth, between Farmer and Daphne Streets, estimated to cost \$25,000, as shown on attached Plan No. 3155-CP-01;
- CONSULTS* with affected residents and businesses; and
- RECIEVES* a further report at the conclusion of the public consultation."

DETAILS:

As previously reported to Council, Angove Street is classified as a District Distributor B Road in accordance with the Metropolitan Functional Road Hierarchy and in accordance this classification, the anticipated weekday traffic volume is greater than 6,000 vehicles per day, with a recommended operating speed of either 50 or 60 kph. Angove Street carries in the order of 9,250 vehicles average weekday traffic and has a posted speed limit of 50 kph.

The cafe/commercial strip, east of Daphne Street to Fitzgerald Street, had low profile speed humps installed as part of the streetscape enhancement works completed in the mid 2000's and which has proven very successful in limiting the speed of traffic. In this section the 85% speed is 36.4 kph while the average speed is 29.3 kph.

The predominately residential portion of Angove Street from Farmer Street to Daphne Street, and which is a relatively steep grade, has no such traffic calming measures.

As a consequence there is a propensity for motorists to increase speed on the downhill grade west bound from Daphne Street and similarly accelerating on the uphill grade east bound before encountering the first speed hump near Daphne Street. The 85% speed on vehicles in this section of road varies between 52kph and 54kph (not excessive).

Community Consultation:

In August 2014 eighty six (86) letters were distributed to residents and businesses regarding the proposed traffic calming. At the close of consultation on 22 August 2014 five (5) formal responses were received all in favour of the proposal.

Related Comments In Favour of the Proposal:

- 1 x in favour with no further comment.
- Long overdue, people speed up travelling west on Angove Street to try and beat the traffic lights on Angove/Charles Street. I have seen numerous accidents along this stretch of the road.
- Great idea. There are always people who tear up/down the street. Only question will that be enough speed bumps to stop drivers accelerating in between.
- I support the proposal of the introduction of traffic calming measures as per the Technical Services Drawing No. 315—CP-01 dated June 2104.
- The traffic calming measures on Farmer Street are too high and therefore traffic diverted to Angove Street. Also car parking on Angove Street should be on time limit – e.g. 1 hour because some cars park there for days and obstruct the view of oncoming traffic. There is so much traffic in the morning and afternoon that it is very difficult to reverse out of the driveway.

Officer Comments:

As mentioned above, the recorded 85% speed ranges between 52 and 54 kph. Low profile speed humps would act as a deterrent for speeders however due to the high traffic volumes in the street could cause an element loss in amenity for nearby residents. Notwithstanding no negative comments were received regarding the proposal even though the response was very low (5 persons). We have therefore recommended that the proposal be accepted by Council.

CONSULTATION/ADVERTISING:

Residents and businesses were consulted regarding the proposal in accordance with the City's Community Consultation policy 4.1.5.

LEGAL/POLICY:

Not applicable.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

Council ensures its road infrastructure is maintained to an acceptable level of service, including road safety improvements, with funds allocated annually to various programs.

FINANCIAL/BUDGET IMPLICATIONS:

The 2014/2015 Budget includes \$25,000 for traffic management improvements in Angove Street. The estimated cost of the proposal is \$20,000. This funding allocation has not been deferred by Council at its Special Meeting held on 3 September 2014

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 the WA Police for enforcement of the legal speed limit.

While the traffic data indicates that the speed in Angove Street is not excessive the significant % of 'low level speeding' (as previously reported to Council) therefore it is recommended that the proposal, as outlined on attached Plan No. 3155-CP-01, be approved.

9.2.2 Tender No. 488/14 - Bi-annual Bulk Verge Green Waste and Annual Bulk Verge General Waste Collection

Ward:	Both	Date:	29 August 2014
Precinct:	All	File Ref:	SC1516, SC1646
Attachments:	001 - Confidential		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker; Director Technical Services C Wilson; Manager Asset and Design; M Dunne; Waste Management Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council **ACCEPTS** the tender from Steann Pty Ltd for the Bi-annual Bulk Verge Green Waste Collection and the Annual Bulk Verge General Waste Collection, in accordance with the terms and conditions detailed in Tender No 488/14 and as detailed in the Confidential Attachment.

PURPOSE OF REPORT:

The purpose of this report is to obtain Council's approval to award Tender No. 488/14 - Bi-annual Bulk Verge Green Waste and Annual Bulk Verge General Waste Collection.

BACKGROUND:

As part of the City's Waste Management Strategy, Council undertakes two (2) Green Waste Collections and one (1) Hard Waste Collection each financial year. Tender 488/14 for Green Waste and Hard Waste Collections was advertised in the West Australian on Wednesday 2 July 2014 and the tender closed at 2.00pm (WST) on Wednesday 16 July 2014, four (4) tenders were received.

DETAILS:

The tenders received were from the following registered companies:

- Steann Pty Ltd
- KRS Contracting
- D & M Waste
- Western Maze Pty Ltd trading as W.A. Recycling Services

The tenders were assessed by a Tender Evaluation Panel comprised the Director Technical Services, A/Director Corporate Services, Manager Asset and Design Services and Waste Management Officer. Each tender was assessed using the selection criteria below in accordance with the tender documentation.

CRITERIA	WEIGHTING
Demonstrated experience supplying similar services	25%
Skills and experience of Key Personnel	20%
Demonstrated understanding (methodology) of collection requirements	20%
Demonstrated understanding of all plant requirements	15%
Contract price (tonnage rates as indicated in the Pricing Schedule)	15%
References of satisfactory service	5%
	100%

Discussion:

Tonnages for the Greenwaste Collection in 2013/2014 were in the order of 478 tonnes while the tonnages for the general Junk Collection were approximately 785 tonnes with the total tonnage collected being in the order of 1263 tonnes. All green waste was delivered to JFR (Jim) McGeough Resource Recovery facility where it was mulched. For general junk, 123 tonnes of scrap metal and e-waste was recycled and the remaining 662 tonnes disposed of at Tamala Park landfill.

Scores were allocated accordingly by the panel. Tonnages for green waste and hard waste collected throughout the City during the last financial year were used as a basis to determine costs. The table exhibited in **confidential attachment** indicates the prices submitted, summary and overall scoring.

The evaluation of the qualitative criteria submitted supports the submission by Steann Pty Ltd as being the best value. Steann Pty Ltd scored highly in the qualitative criteria and their tender provides Council with good levels of service and economic value.

CONSULTATION/ADVERTISING

Not applicable

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

Medium: The tender is an important project for the City. It must be carried out in an efficient and effective manner. Failure to do so results in rubbish remaining on the City's verges for an unacceptable period of time and also results in complaints from the residents.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

A large proportion of the material collected is recycled.

FINANCIAL/BUDGET IMPLICATIONS:

The amount of \$520,000 has been allocated in the 2014/2015 budget for bulk verge collections.

COMMENTS:

Reference checks revealed that all four (4) tenders are capable of providing the required service. The references for the recommended tenderer Steann Pty Ltd, were very positive with particular emphasis on their customer service and flexibility.

Steann is the City's current provider of this service and the service they have provided has been exceptional. The Tender Evaluation Panel has therefore unanimously recommended that the tender for the Bi-Annual Bulk Verge Green Waste collection and the Annual Bulk Verge General Waste collection, in accordance with the terms and conditions detailed in Tender No 488/14 be awarded to Steann Pty Ltd.

9.2.3 Correction/Rescission Motion - Braithwaite Park Design and Construct a Nature Play Area (with a water element) - Tender No. 485/14

Ward:	North	Date:	29 August 2014
Precinct:	Mount Hawthorn (1)	File Ref:	SC1489, SC577
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	J van den Bok, Manager Parks and Property Services R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That Council;

1. **NOTES** that Council at its Ordinary Meeting held on 24 June 2014 (Item No. 9.2.2), resolved as follows;

“That Council;

1. **ACCEPTS** the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;
 2. **AUTHORISES** the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and
 3. **APPROVES BY AN ABSOLUTE MAJORITY** the allocation of an additional \$150,000 in the 2014/2015 budget for the inclusion of a zip line structure in stage 2 of the works.”
2. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, three Elected Members, namely Cr....., Cr and Cr, being one third of the number of offices of members of Council, **SUPPORT** this motion to revoke or change part of the Council decision reproduced in 1 above;
 3. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996 as referred to in Section 5.25 (1)(e) of the Local Government Act 1995, the Council **RESOLVES BY AN ABSOLUTE MAJORITY** that clause 1 of Council’s Decision of 24 June 2014 (Item No. 9.2.2) be amended to read as follows and that clauses 2 and 3 remain unchanged;

“ACCEPTS the tender submitted by Phase 3 (Option 1) with the inclusion of a zip line structure as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;”

PURPOSE OF REPORT:

The purpose of this report is to advise Council that following Council's approval to award the tender for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn advice was sought on a way forward to include the zip line structure in the current project.

BACKGROUND:

The Council at its Ordinary Meeting held on 24 June 2014 (Item No. 9.2.2), resolved as follows;

- “1. *ACCEPTS the tender submitted by Phase 3 (Option 2) as being the most acceptable to the City for the Design and Construction of a Nature Play Area with a water element at Braithwaite Park, Mount Hawthorn, in accordance with the specifications as detailed in Tender No. 485/14 and as outlined in the Confidential Appendix 9.2.2;*
2. *AUTHORISES the Acting Chief Executive Officer in liaison with the Mayor to make amendments to the plan for the playground within the tender price submitted; and*
3. *APPROVES BY AN ABSOLUTE MAJORITY the allocation of an additional \$150,000 in the 2014/2015 budget for the inclusion of a zip line structure in stage 2 of the works.”*

DETAILS:

Clause 1 of the above Council decision referred to “Option 2”, as submitted by the successful tenderer, Phase 3. That option was recommended by Administration but did not include a zip line structure. The zip line structure was included in “Option 1” submitted by Phase 3.

When considering the tender submissions at its 24 June 2014 meeting, Council resolved to add \$150,000 for this project in the 2014/15 budget in order to include the zip line structure proposed in Phase 3's “Option 1”. In accordance with this decision, additional funds were included in the 2014/15 capital works budget.

As a consequence of Council agreeing to include the zip line structure in the redevelopment of Braithwaite Park, clause 1 of the Council decision should have been modified to refer to “Option 1” instead of “Option 2”. It is now recommended that this be corrected by formally changing clause 1 of Council's decision to correctly reference “Option 1” (which includes the zip line structure) rather than “Option 2” (which excludes the zip line structure).

CONSULTATION/ADVERTISING:

Tender No 485/14 Braithwaite Park - Design and Construct a Nature Play Area (with a water element) was previously advertised for a total of twenty eight (28) days.

LEGAL/POLICY:

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

Council can change its previous decision under Regulation 10 of the Local Government (Administration) Regulations 1996.

RISK MANAGEMENT IMPLICATIONS:

Low: This project when completed will provide a quality landscape and playground area designed and constructed in accordance with building/construction codes and playground safety standards.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

The overall improvements to Braithwaite Park will provide for the creation of additional green space using Western Australian native plants and recyclable materials where practicable in accordance with the City's Sustainable Environment Strategy 2011- 2016.

FINANCIAL/BUDGET IMPLICATIONS:

The change to clause 1 of Council's previous decision will ensure the resolution wording accurately and properly reflects the intent and effect of Council's decision. This change to clause 1 will have no additional impact on Council's adopted budget for this project. Furthermore, the funding for this project was not affected by the Budget savings measures adopted by Council on 26 August 2014.

COMMENTS:

The Council previously requested that a 'zip line' be included in the project. A 'zip line' was previously included as an option in the original tender submission by Phase 3 however was not recommended by Administration at the time due to budgetary constraints. The Phase 3 submission with the zip line included (Option 1) scored 2nd, Option 2 (without the zip line) scored 1st.

If the recommended change is not made to the Council's decision then one of the following will need to occur:

"Option 1" (as previously approved) will need to be implemented (i.e. without the zip line), because the \$150,000 cost exceeds the value that can be authorised as a variation;

"Option 2" (as previously approved) will need to be implemented (i.e. without the zip line) and the 'zip line' will need to be sourced from a WALGA supplier or tendered as a separate component.

Neither of these scenarios is favoured, because the clear intent and effect of Council's decision was to pursue "Option 1" and include a 'zip line' in the redevelopment of Braithwaite Park. Additionally, it is preferred that the overall project be carried out by one contractor (only), to ensure the integrity of the design is not compromised, to avoid duplicated mobilisation and remobilisation costs and to avoid the need for duplicated contract management on the City's part.

9.3 CORPORATE SERVICES

Nil.

9.4 COMMUNITY SERVICES

9.4.1 Beaufort Street Enhancement Project Progress Report No.12

Ward:	South Ward	Date:	29 August 2014
Precinct:	Mt Lawley Centre (11)	File Ref:	SC1493
Attachments:	001 – Proposed location of piazza 002 – List of submissions received 003 – Geographic distribution of submissions 004 – Available parking locations within 150m of piazza		
Tabled Items:	Nil		
Reporting Officer:	D Doy, Place Manager A Birch, A/Manager Community Development		
Responsible Officer:	J Anthony, A/Director Community Services		

OFFICER RECOMMENDATION:

That Council;

1. **CONSIDERS** the three hundred and two (302) submissions received in relation to the Mary Street Piazza proposal recently advertised for public comment;
2. **AUTHORISES** the Chief Executive Officer;
 - 2.1 to call an Expression of Interest for qualified design consultants to design the Mary Street Piazza;
 - 2.2 to seek Council's final approval of the design once submitted by the chosen qualified design consultant; and
3. **ADVISES** the local community, 'Beaufort Street Network' and business owners of its decision.

PURPOSE OF REPORT:

The purpose of this report is to update the Council on the outcome of the Mary Street Piazza trial and subsequent received public comments and to seek Council's authorisation to proceed to an Expression of Interest callout for a qualified design consultant to prepare a design for a permanent piazza space.

BACKGROUND:

Ordinary Meeting of Council	Outcome
11 September 2012	CONFIDENTIAL REPORT Beaufort Street Enhancement Working Group – Approval of Stage 2 Enhancement Works and progress Report No.5. 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. Council approved the remaining funds to be used to install seating, planters and drinking fountains.
26 March 2013	Beaufort Street Enhancement Working Group – Additional Funding for Major Artwork. 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. Council approved a six (6) month installation of a filtered drinking water dispenser.

Ordinary Meeting of Council	Outcome
19 November 2013	CONFIDENTIAL REPORT: Beaufort Street Enhancement – Major Artwork – Progress Report No.9. Council received a progress report on the Beaufort Street Major Artwork.
22 April 2014	Beaufort Street Enhancement Working Group – Progress Report No.10. Council approved the installation of twelve (12) new seats, the installation of a light structure and light boxes and approved in principle the Mary Street Piazza Public Open Space, subject to undertaking consultation with the community.

At the Ordinary Meeting of Council held on 8 July, it was resolved:

“That 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 approval.”*

DETAILS:

Mary Street Piazza

In accordance with Council's resolution, a temporary piazza space was constructed in the confines of the identified future Mary Street Piazza space at the southern corner of Mary Street and Beaufort Street as shown in Attachment 9.4.1 (001). The temporary space was trialled for a two (2) week period beginning Friday 25 July running through to Friday 8 August, 2014. A variety of events and performances were arranged by the City to demonstrate how the space could be utilised in the future as a permanent piazza. A large blackboard was also built to allow the community to provide 'live' feedback as they visited the space.

Feedback received

A summary of the submissions received is provided in Table 1 below:

Table 1: Summary of submissions received

Submissions - Support	263 (87.1%)
Submissions - Object	35 (11.6%)
Submissions - Indifferent	4 (1.3%)
Total	302

Attachment 9.4.1 (002) contains a full account of the submissions received.

Attachment 9.4.1 (003) contains two (2) maps which show the distribution of submissions from the immediate local area (500m), the balance area in the City and then outside of the City's boundaries. The distribution of submissions within 500m of the proposed Piazza is also represented in Table 2 below.

Table 2 – Distribution of submissions within 500 metres of the proposed piazza

	Support	Object	Indifferent	Total
Mary Street	9	15	1	25
Chatsworth Road	10	5	1	16
Beaufort Street	18	1	-	19
Harold Street	5	2	-	7
Walcott Street	9	-	-	9
Grosvenor Road	5	-	-	5
Lincoln Street	1	-	-	1
Vincent Street	3	1	-	4
Chelmsford Road	2	-	-	2
Wright Street	4	-	-	4
William Street	1	-	-	1
Stirling Street	2	-	-	2
Harley Street	-	2	-	2
Cavendish Street	-	1	-	1
Hutt Street	2	-	-	2
Total	71	27	2	100

The total distribution of submissions is also represented in Table 3 below.

Table 3 – Geographic distribution of submissions

	Support	Object	Indifferent	Total
Local (500m)	71	27	2	100
Vincent (other)	72	1	-	73
Non Vincent	120	7	2	129
Total	263	35	4	302

The content of the submissions is varied. The content has been summarised below into groups in Table 4 below.

Table 4 – Summary of submissions

	Concerns	Support
Movement network implications	<ul style="list-style-type: none"> Loss of access is inconvenient to Mary Street residents especially during the 15 minute bottleneck caused by the School pick up Two way access should be maintained (Piazza could be redesigned within car spaces) Concerns around increased car volumes on Chatsworth Road and Harold Street Loss of parking will cause parking congestion on Mary Street Concerns about increased parking demand on Chatsworth Road and Harold Street Piazza does not belong in a street Concerns about compromising legibility of the street network 	<ul style="list-style-type: none"> The Piazza will provide better conditions for the afternoon school pick up Mary Street will experience reduced traffic Mary Street will experience lower speeds Good location – edge of residential/commercial and central along the strip Loss of parking will be of little consequence, especially to those who walk or cycle The Piazza will improve walkability

	<ul style="list-style-type: none"> Concerns that Mary Street is not the right location for a Piazza Concerns around safety for students, parents and residents during pick up Concerns around increased vehicle volumes in laneway network 	
Economic implications	<ul style="list-style-type: none"> Concerns around economic impact the loss of 9 bays has on adjacent business Concerns around the ongoing costs of activation 	<ul style="list-style-type: none"> The Piazza will encourage people to stay in Beaufort Street for longer Will attract more pedestrian traffic past local businesses Provide a new experience and contributes to the vibe of the area Provides a space to sit for visitors and tourists Provides a place to sit and eat when local eateries are full
Social implications	<ul style="list-style-type: none"> The Piazza will have no use or function aside from spill-over from adjacent business Concerns about increase in anti-social behaviour caused by the Piazza Concerns the Piazza is a fait accompli Design lacks flair and does not recognise Highgate environment/history Concerns about child safety in the piazza close to Beaufort Street 	<ul style="list-style-type: none"> The Piazza will provide extra surveillance on the street The Piazza will be a great meeting place for the community The Piazza will be a great space for families The Piazza will be a space for general public use The Piazza will improve liveability Is consistent with the Better Beaufort Action Plan Will provide a heart for the Beaufort Street Community Could be used regularly for community events and functions Will generally improve the pedestrian experience A place for workers to sit on their lunch breaks
Environmental Implications	<ul style="list-style-type: none"> Concerns around increase in litter Concerns around the level difference Concerns around increases in noise for residents 	<ul style="list-style-type: none"> Improves streetscape by adding trees and greenery

Further to the above, the submissions provide a number of considerations for the future detailed design. They include:

- The Piazza should stretch across the entire Mary Street road reserve;
- Turning circle could be installed at the eastern end of Mary Street;
- Tiered seating or benches should extend up the Piazza from Beaufort Street;
- The Piazza should be at grade with the footpath;
- Cobblestone treatment of car lane;
- Design must be prepared by a landscape architect or other relevant professional;
- Controls need to be in place to ensure the Piazza is clean and safe;

- Concerns around ongoing events management;
- Bicycle parking should be considered;
- The Piazza should move closer to the corner of Beaufort Street;
- Fencing should be considered;
- Encourage adjacent buildings to open toward Mary Street to further activate the space (remove barriers between adjacent uses and the Piazza);
- Concerns around too many permanent uses cluttering the space; and
- The Piazza should be universally accessible

This report provides a rationale for the proposed Piazza and addresses the above considerations.

Rationale for the Mary Street Piazza

Beaufort Street has evolved into one of Perth's premier destinations. Beaufort Street has a typical 'ribbon retail' urban form, which evolved as the tram line incrementally extended toward Inglewood. No provision was made for public open space during this period of growth. Traditional European town centres are formed around a public open space area, typically a plaza or piazza. This space serves as a central community meeting space and is often where events and markets are held with buildings typically enclosing this community space. Uses such as churches and town halls often front onto a piazza as well as active uses such as cafes and restaurants.

The Beaufort Street town centre lacks a heart or central community meeting space due to the historical pattern of development. The Mary Street Piazza proposal serves to address this gap.

Mary Street Piazza was identified as an ideal location for a community space by both the City and also the Beaufort Street Network in their 'Better Beaufort Action Plan'. It is centrally located in the Highgate portion of Beaufort Street and will potentially be surrounded by active uses. Mary Street is also home to Sacred Heart Primary School and Sacred Heart Catholic Church, two (2) prominent uses in the Highgate community.

Movement network implications

The surrounding street and lot layout utilises a standard grid pattern providing a permeable and legible system for pedestrians and vehicles.

The City does not own land adjacent to the Mary Street/Beaufort Street intersection, which is considered the best location for a piazza in Highgate and has therefore proposed to use a portion of the existing Mary Street road reserve for the Piazza. This results in a loss of six (6) existing car bays and the resumption of about half of the existing Mary Street road reserve for a distance of 15 metres from the Beaufort Street road reserve (the proposed Piazza space is as shown in Attachment 9.4.1 (003). As a result, Mary Street would no longer be accessed from Beaufort Street. Left out and right out access to Beaufort Street from Mary Street would remain.

During the two (2) week trial and for a period preceding the trial, traffic counters were installed in two (2) locations on Mary Street, Harold Street and Chatsworth Road to measure traffic volumes. Table 5 below outlines the volumes recorded.

Table 5 – Traffic volume comparison (Piazza/No Piazza)

Location	Average Daily Volume - Existing street conditions (pre trial 28/05/14 to 4/06/14)	Average Speed - Existing street conditions (pre trial 28/05/14 to 4/06/14)	Average Daily Volume - No access to Mary Street from Beaufort Street (during the trial 30/07/14 - 06/08/14)	Average Speed - No access to Mary Street from Beaufort Street (during the trial 30/07/14 - 06/08/14)
Mary Street – Near Beaufort Corner	1182	18.1 km/hr	571	16.8 km/hr
Mary Street – Near William Street	1290	35.1km/hr	1126	33.9 km/hr
Harold Street	704	37.9 km/hr	914	36.3 km/hr
Chatsworth Road	779	32.3 km/hr	918	31.6 km/hr

During the trial Mary Street recorded decreased traffic at the Mary/Beaufort Street corner (51.6% reduction) and near William Street (12.7%). Harold Street recorded an increase in traffic (22.9%) as did Chatsworth Street (15%) although the total traffic volumes on both of these streets is considered to be low.

The majority of concerns from the local community relate to car parking, vehicle access and traffic volumes. Many of the supporting comments speak to improved walkability and destination qualities for pedestrians. It is the opinion of the City that the proposed Piazza will impact upon the movement network in the following ways:

- Vehicle access: The loss of vehicle access to Mary Street from Beaufort Street restricts access to Mary Street to be from William Street. Drivers on Mary Street can generally be placed into three (3) categories:
 - Residents: Short term confusion is expected for residents until driver behaviour changes and new routes are established. These routes are expected to include Bulwer Street to William Street in the south and Vincent Street to William Street in the north. There will also be, as demonstrated in the traffic results, small increases on Chatsworth Road, Harold Street and Lincoln Street.
 - Visitors/Staff to Sacred Heart Catholic Church and Sacred Heart Primary School: Short term confusion is expected for visitors/staff community by vehicle to both the church and the school until driver behaviour changes and new routes are established. The primary school has expressed support for the Piazza stating that the new configuration will assist with the afternoon pick up.
 - Business patrons: Short term confusion is expected for patrons until driver behaviour changes and new routes are established via William Street or using existing parking on or adjacent to Beaufort Street.
- Traffic volumes: As illustrated in the traffic counts, Chatsworth Road and Harold Street recorded higher traffic volumes due to the change to the movement network. These volumes however are considered to be low for a local street in an inner city area.
- Car parking: The proposed Piazza encompasses what are six (6) existing car parking bays. Concerns have been expressed by two (2) adjacent businesses fronting Beaufort Street about the economic impact the loss of these bays will have on their business, especially during weekday mornings. It is the view of the City that the loss of these six (6) bays will not impact upon the accessibility to these businesses by vehicle during weekday mornings (non peak time). As shown in Attachment 9.4.1 (004), there is ample parking available within a 150 metre walk of these businesses.
- Pedestrian accessibility/walkability: The proposed Piazza will not alter the existing pedestrian footpath network. Providing a public space on Beaufort Street, framed by active uses will enhance the walkability of the locality.

Economic implications

It is the view of the City that the proposed Piazza will have a positive impact on the local economy. Concerns have been raised by two (2) adjacent businesses on Beaufort Street about the impact the loss of six (6) car bays will have on each business.

Attachment 9.4.1 (004) illustrates the existing parking provision within 150 metres of these businesses. There is ample parking available during non-peak times in these locations. Parking reaches capacity on Thursday and Friday evenings and on weekends.

Continual improvement of walkability and destination quality of the immediate vicinity with initiatives such as the Piazza, will increase the amount of people who walk to the area rather than drive. This is likely to result in more patronage than what the six (6) removed car bays could have provided.

Social implications

Piazas are public spaces at the intersection of important streets set aside for civic purposes and commercial activities. They should be surrounded by buildings and are usually the centre of public life. The proposed Piazza is intended to be the heart of the Highgate community and will:

- Be framed by active uses;
- Be able to hold small community events and performances; and
- Be a meeting place for local people as well as visitors.

The Piazza will provide a free public space for social interaction for people of all ages, abilities and backgrounds.

Future design considerations

Should the proposed Piazza be approved by Council, a detailed design process will be required in order to ensure the space can endure over a long period time and be flexible enough to cater for a variety of uses. Some key design considerations include:

- Sense of enclosure: the Piazza must feel like a human scaled outdoor room. The Piazza must utilise the surrounding buildings and other structures to provide a sense of enclosure;
- Continuous accessible ground floor: the Piazza should deemphasize landscaping features, other than the pavement or floor. Features other than trees and seating should be kept to a minimum;
- Plan for temporariness: the Piazza should be designed as a blank slate, leaving the curation of the space to the imagination of whomever is planning an event in the Piazza; and
- Day and night: A Piazza should be able to be used both day and night by locals. It could be a playground in the morning, welcome a concert in the afternoon, and allow for an outdoor film in the evening.

Concluding recommendation

Given the overwhelming public support for the Mary Street Piazza and the identified need for an urban open space in the Beaufort Street Town Centre it is recommended that Council authorise an Expression of Interest callout for a qualified design consultant to prepare a design for a permanent Piazza.

It is the view of the City's Officers that the Piazza will provide a space for the both local residents and visitors to meet, socialise, relax and recreate. The proposed Piazza is one of a number of projects which:

- Compliment the street life generated by local businesses and initiatives undertaken by the Beaufort Street Network which result in an increase in creative and social capital. Increasing cultural and social capital improves the desirability of a place, thus attracting further business which supports the local economy during both the day and night; and
 - Improve the liveability for local residents through a focus on people first outcomes.
-

CONSULTATION/ADVERTISING:

In accordance with Council's resolution, a temporary Piazza space was constructed in the confines of the identified future Mary Street Piazza space at the southern corner of Mary Street and Beaufort Street. The temporary space was trialled for a two (2) week period beginning 25 July running through to 8 August 2014. A community 'drop in' session was also conducted on August 2 for a one (1) hour period where City Officers were able to answer questions from the community in a non-threatening environment.

LEGAL/POLICY:

Nil

RISK MANAGEMENT IMPLICATIONS:

Low/Medium – The proposed Piazza represents a low/medium risk to pedestrian and driver safety during the first month following development, as drivers become accustomed to the change in the movement network.

STRATEGIC IMPLICATIONS:

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

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment*
 - 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*

Community Development and Wellbeing

- 3.1 *Enhance and promote community development and wellbeing*
 - 3.1.2 *Promote and foster community safety and security*
 - 3.1.3 *Promote health and wellbeing in the community*
 - 3.1.6 *Build capacity within the community to meet its needs"*

SUSTAINABILITY IMPLICATIONS:

Nil

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this matter will be incurred under the following budgeted item 1.40027.6008:

Budget Amount:	\$217,160
Mary Street Piazza	<u>\$174,510</u>
Balance:	\$ 42,650

COMMENTS:

In accordance with Council's resolution, a temporary piazza space was constructed in the confines of the identified future Mary Street Piazza space at the southern corner of Mary Street and Beaufort Street as shown in Attachment 9.4.1 (001). The temporary space was trialled for a two (2) week period beginning 25 July running through to 8 August 2014. Three hundred and two (302) submissions were received during the advertising period, two hundred and sixty three (263) of which were supportive, thirty five (35) whom objected and four (4) indifferent.

It is the view of the City's Officers that the proposed piazza will improve the liveability of the Highgate area by:

- Improving walkability;
- Providing a space for creative and social endeavours, therefore contributing to the places creative and social capital; and
- Providing a heart for the Highgate community, that will function as a community space.

It is recommended that Council authorises the Chief Executive Officer to call an Expression of Interest for a qualified designer to prepare a design for the Mary Street Piazza.

9.4.2 RTRFM Music Festival - Location Change

Ward:	North	Date:	29 August 2014
Precinct:	North Perth Centre; P9	File Ref:	SC1525
Attachments:	001 - Letter from RTRFM		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts and Creativity A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council;

- APPROVES** the venue change for the RTRFM Beaufort Street Music Festival from Beaufort Street venues to the Rosemount Hotel in North Perth, subject to the City receiving fifty (50) complimentary tickets for distribution to residents; and
- NOTES** that the event is now proposed to be a fully ticketed event.

PURPOSE OF REPORT:

The purpose of the report is to approve the change of location of the 2014 RTRFM Music Festival from Beaufort Street, Mount Lawley, to the Rosemount Hotel in North Perth on 17 January 2015.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 April 2014, the Council resolved as follows:

That Council;

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

	ORGANISATION	EVENT	DATE	AMOUNT SOUGHT	AMOUNT RECOMMENDED
1	Revelation Film Festival	Revelation International Film Festival	3 Jul 2013 - Jul 2014	\$20,000	\$15,000
2	WA Italian Club	Community Open Day and Fair	12 Oct 2014	\$12,850	\$7,500
3	City of Vincent	Multicultural Festival	Oct 2014	\$20,000	\$20,000
4	The North Perth Business and Community Association Inc	Angove Street Festival	26 Oct 2014	\$50,000	Carry forward from 2013/2104 Budget- \$45,000
5	Open House Perth	Open House Perth	1-2 Nov 2014	\$10,000	\$10,000
6	Beaufort Street Network	Beaufort Street Festival 2014	15 Nov 2014	\$82,500	\$75,000

	ORGANISATION	EVENT	DATE	AMOUNT SOUGHT	AMOUNT RECOMMENDED
7	Leederville Connect	Light Up Leederville Carnival	7 Dec 2014	\$60,000	55,000
8	RTRFM	Beaufort Street Music Festival	17 Jan 2015	\$11,500	\$5,000
9	City of Vincent	Summer Concerts x 6	Jan-Apr 2015	\$45,000	\$40,000
10	Trickster Productions	Hyde Park Caribbean Party – Summer Concert	Feb 2015	\$7,500	Summer Concert
11	WA Youth Jazz Orchestra	Big Band Festival	Feb 2015	\$7,500	\$0
12	Pride Western Australia	Pride Sponsorship 2014/2015	Various	\$30,000	\$15,000
13	HMS Pop Up Productions	Fete de la Femme	7 Mar	\$30,000	\$0
14	St Patrick's Day WA Inc.	St Patrick's Day Parade and Family Fun Day	15 Mar	\$25,000	\$25,000
15	Mt Hawthorn Hub	Up Late in Mount Hawthorn	Various	\$40,000	\$40,000
16	Perth International Jazz Festival Inc.	Perth International Jazz Festival	8-10 May 2015	\$20,000	\$0
17	City of Vincent Stalls and Floats	St Patrick's Day, Pride and stalls at events	Various	\$10,000	\$10,000
TOTAL				\$511,850	\$362,500

2. *The festival events detailed in clause 1 above shall be subject to the following conditions:*
 - 2.1 *the sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;*
 - 2.2 *'event fees' for the festivals shall be waived;*
 - 2.3 *a bond of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;*
 - 2.4 *a suitable traffic, risk management and event site plan shall be submitted to the City at least two (2) months prior to the event at the expense of the organisers;*
 - 2.5 *the event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;*
 - 2.6 *the event organisers shall ensure full consultation with businesses and residences within the event parameter and at a minimum of a five hundred (500) metre radius outside of the event parameter to ensure that the festival is representative of and attuned to the local businesses;*

- 2.7 *the activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;*
- 2.8 *acknowledgement of the City of Vincent as a major sponsor of the events on all publications and advertising materials, subject to the conditions listed in the report;*
- 2.9 *the funds received from the City shall be acquitted together with a full evaluation report on the festival being provided no later than three (3) months after the event; and*
- 2.10 *full compliance with the City's Policy No. 3.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy No. 3.10.8 'Festivals' and Policy No. 3.8.3 'Concerts and Events';*

to the satisfaction of the Acting Chief Executive Officer; and

3. *AUTHORISES the Acting Chief Executive Officer to approve any scheduling changes under delegated authority."*

DETAILS:

RTRFM applied for \$7,500 funding as part of the City of Vincent 2014/15 festival funding in February 2014. The application was for a multi-venue event on Beaufort Street on 17 January, 2015 with parts of the event being free and parts ticketed. The ticketed event was proposed to be held at The Flying Scotsman, Planet Cafe, Astor Cinema with the area behind the RTRFM studio and Planet Video being a free entry pop up DJ zone free to the general public from 3pm to 7pm. Council approved \$5,000 funding towards this event at the Ordinary Meeting of Council held on 22 April, 2014.

On 6 July 2014, the City's Officers met with the General Manager of RTRFM, Jason Cleary. Mr Cleary explained that since submitting the application in February, a number of changes had taken place. Most notable was that the main venue of the proposed festival, Planet Cafe, has closed down. The Flying Scotsman had also ensured RTRFM prior to the application that their live music equipment was to be upgraded to provide a more professional sound, but this is now not likely to occur.

RTRFM have been liaising with the Rosemount Hotel to hold the festival as a multi-stage event in North Perth. The event would utilise the indoor stage areas, beer garden and car park to create a contained, festival atmosphere. The previous proposed event had a free outdoor element at the back of RTRFM studios from 3pm to 7pm. The new venue would require the event to now be a fully ticketed event, at an affordable cost of \$30 or under with various concessions. Fifty (50) complimentary tickets will be available to the City of Vincent to distribute to residents via a social media giveaway.

North Perth is a focus area for place making and activation. This event is aimed at a younger demographic of 18 to 35 year olds, who want to support local music. RTRFM travel their music festivals to other suburbs, such as Fremantle for their Winter Music Festival, with great success.

CONSULTATION/ADVERTISING:

Consultation with the North Perth Local "Town Team" has taken place and the group is supportive. The event will adhere to environmental health policies in regards to noise and food service.

LEGAL/POLICY:

- Policy No. 1.1.5 – Donations, Sponsorship and Waiving of Fees and Charges;
 - Policy No. 3.8.3 – Concerts and Events; and
 - Policy No. 3.10.8. – Festivals.
-

RISK MANAGEMENT IMPLICATIONS:

Low: The Rosemount Hotel has good security and safety measures in place.

STRATEGIC IMPLICATIONS:

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

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this event is \$5,000 and will be incurred under the Festivals Expenditure, as approved by Council.

COMMENTS:

The City recognises that festivals which bring people together are an integral part of the City's vision for community wellbeing. The new locality of this event will make it a popular choice for the target demographic and will hopefully create positive flow on effects for local businesses in North Perth.

9.4.3 Percent for Public Art Guidelines and Policy Review

Ward:	All	Date:	29 August 2014
Precinct:	All	File Ref:	SC1562
Attachments:	001 - Percent for Public Art Guidelines for Developers 002 - Percent for Public Art Policy		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council **RECEIVES** and **APPROVES** the amended **Percent for Public Art Guidelines and Policy** as attached to the report in **Attachment 001 and 002**.

PURPOSE OF REPORT:

The purpose of this report is to seek Council's endorsement on the proposed amendments to the Percent for Public Art Guidelines and Policy.

BACKGROUND:

The Percent for Art Scheme was first adopted by Council on 24 August 1998 and the policy was last reviewed in February 2013. The objective of the policy is 'to develop and promote community identity within the City' by requiring proposals for commercial, residential and mixed commercial and residential developments over the threshold value to set aside a minimum of one percent (1%) of the total cost of the development for Public Art.

DETAILS:

Guidelines

At the Arts Advisory Group meeting on 23 June 2014, the group resolved that the Percent for Public Art Guidelines required updating to ensure quality artistic works were being produced within the City under the scheme.

The commissioned artwork for each new development should be clearly identifiable as public art by the general public. This clear identification is lacking on some new development 'artworks'.

The proposed amendments to the Percent for Public Art Guidelines aim to encourage developers to contribute projects worth under \$50,000 towards cash-in-lieu instead of self managed public art projects. The original guidelines suggest it is more cost effective for developers to self manage Percent for Public Art projects under \$20,000 and provides project management tips. The amended Percent for Art Guidelines encourage developers to contribute projects worth under \$50,000 towards cash-in-lieu.

Providing the contribution to Public Art through cash-in-lieu will allow the City to pool the contributions and provide major artworks with a higher budget. It is intended that the Public Art be placed within the town centre that the contributing development is located in or near.

Policy

The proposed Percent for Public Art Policy amendments are minor, with updates in regards to officer titles, dates and the removal of clause 2.7 which relates to community consultation. Policy No 4.1.5 'Community Consultation' was amended at the Ordinary Meeting of Council held on 22 July 2014. The removal of consultation on public art is due to the fact that popular opinion does not best determine whether an art work is suitable or works in a particular location, as art is a very subjective matter.

CONSULTATION/ADVERTISING:

The guidelines were reviewed by the Arts Advisory Group at the 23 June, 2014 meeting. The amendments were then distributed via email to the Arts Advisory Group.

LEGAL/POLICY:

- Policy No: 7.5.13 - Percent for Public Art.

RISK MANAGEMENT IMPLICATIONS:

Low: The policy 4.1.5 Community Consultation amendments serves to ensure that the projects are well managed with better outcomes and value for money.

STRATEGIC IMPLICATIONS:

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

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

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

As a condition of the Percent for Public Art policy, the full cost of the artwork including project management and installation, is to be borne by the developer.

COMMENTS:

It is envisaged that the proposed amendments to the Percent for Public Art Guidelines and Policy will enhance the smooth implementation of the policy by eliminating any outstanding ambiguities as well as provide the public with more significant artworks in the City's town centres.

9.4.4 Light Up Leederville Carnival Parking – Use of Britannia Reserve

Ward:	South	Date:	29 August 2014
Precinct:	Leederville (3)	File Ref:	SC1527
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts & Creativity A Birch, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Community Services		

OFFICER RECOMMENDATION:

That Council **APPROVES** the use of Britannia Road Reserve as a parking area, for use on Sunday 7 December, 2014 to accommodate parking for the Light Up Leederville Carnival, subject to the following conditions:

1. **Operating hours for the parking facility to be set from 12 noon to 12 midnight on 7 December, 2014;**
2. **Flat-rate fee of \$10.00 be charged for each vehicle that uses the facility;**
3. **Light Up Leederville Carnival Organisers to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility;**
4. **Light Up Leederville Carnival Organisers to undertake a letter drop to all properties bounding Britannia Road Reserve; Bourke Street, Brentham Street and Britannia Road, to ensure that the community is aware of the use of Britannia Road Reserve as a parking facility;**
5. **Light Up Leederville Carnival Organisers to maintain responsibility of and coordination of the temporary parking facility; and**
6. **Light Up Leederville Organisers are to ensure the appropriate allocation of ACROD parking is available in the temporary parking facility.**

PURPOSE OF REPORT:

The purpose of this report is to seek approval for the use of Britannia Road Reserve as a temporary parking facility, during the Light Up Leederville Carnival on Sunday 7 December, 2014 in order to ensure that inconvenience to residents, caused by patrons parking in the residential streets, is minimised.

BACKGROUND:

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

DETAILS:

Britannia Road Reserve

The Light Up Leederville Carnival Organisers have requested approval to use Britannia Road Reserve to accommodate parking for the 2014 Carnival, which occurs on Sunday 7 December, 2014.

At the 2013 Light Up Leederville Carnival, the Rangers commented on the significant amount of illegal parking close to the festival location.

Britannia Road Reserve is large enough to accommodate up to 1,000 vehicles, however it is intended for only the southern aspect of the Reserve be fenced off to allow up to 500 car bays.

The organisers expect that the attendance numbers at the Carnival could be as many as 70,000 over the course of the day. This is substantially more than the approximated 40,000 that attended the 2013 event. The City operated a "Parking Hotline" for the 2013 Carnival and, given that a larger crowd is expected to attend the 2014 event, it is confirmed that a similar system will be in operation. This "Parking Hotline" will be advertised locally as the contact number for any parking problems and the contact mobile telephone will be carried by the Supervising Ranger.

The Light Up Leederville Carnival Organiser has approached a local high school, Aranmore Catholic College, to manage the parking at a flat rate fee of \$10.00 per vehicle, to be used as a fundraiser for the school. It was also suggested that, if Britannia Road Reserve is to be approved, it should be a requirement for Carnival Organisers to heavily promote the use of Britannia Road Reserve as a temporary parking venue.

CONSULTATION/ADVERTISING:

The Carnival Organisers will undertake an initial letter drop to a wide area surrounding Britannia Road Reserve and this will be followed up with a second letter drop closer to the event. The organisers have also tried to engage local businesses and residents to ensure that adequate preparation can be made to accommodate anomalies and potential problems. The Carnival will be promoted through newspapers, electronic media, advertising posters in local shops, banners in approved locations, a dedicated website and by letter/pamphlet drops.

LEGAL/POLICY:

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

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

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

- Policy No. 1.1.5 – Donations, Sponsorship and Waiving of Fees and Charges;
- Policy No. 3.8.3 – Concerts and Events; and
- Policy No. 3.10.8 – Festivals.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

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

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

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The estimated loss of revenue from ticket machines is \$2,670. Rangers will be rostered to assist with set up, pack down as well as enforcement issues during the event

Given previous experience, there is unlikely to be any damage to the playing surface of Britannia Road Reserve, so there is likely to be no financial implications with regards to the maintenance of the Reserve.

COMMENTS:

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

9.5 CHIEF EXECUTIVE OFFICER

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	29 August 2014
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	L Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

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

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
15/08/14	Notification Under Section 70A	2	City of Vincent and Suncluster Pty Ltd of Unit 1, 10 Achievement Way, Wangara - Section 70A Notification under the Transfer of Land Act relating to No. 261 (Lots 1 and 2) Charles Street, Cnr Bourke Street, North Perth - <i>To satisfy Clause 6. of Conditional Planning Approval issued by the Development Assessment Panel (DAP) on 21 February 2014</i>

9.5.2 Information Bulletin

Ward:	-	Date:	29 August 2014
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	J Lennox-Bradley, Acting Executive Assistant		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated 29 August 2014, as distributed with the Agenda.

DETAILS:

The items included in the Information Bulletin dated 29 August 2014 are as follows:

- IB01 Unconfirmed Minutes of the Safer Vincent Crime Prevention Partnership (SVCPP) held on 23 July 2014
- IB02 Unconfirmed Minutes of the Tamala Park Regional Council held on 21 August 2014
- IB03 WALGA Minutes for the Annual General Meeting held on 6 August 2014
- IB04 Ride To Work 2014 Program
- IB05 Vincent Greening Plan – Progress Report – September 2014
- IB06 Register of Petitions – Progress Report – September 2014
- IB07 Register of Notices of Motion – Progress Report – September 2014
- IB08 Register of Reports to be Actioned – Progress Report – September 2014
- IB09 Register of Legal Action (**Confidential – Council Members Only**) - Monthly Report as at 28 August 2014
- IB10 Register of State Administrative Tribunal (SAT) Appeals – Progress Report – as at 28 August 2014
- IB11 Register of Applications Referred to the Design Advisory Committee – August 2014
- IB12 Register of Applications Referred to the MetroWest Development Assessment Panel – Current
- IB13 Forum Notes – 19 August 2014

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION: Mayor John Carey – Multiple Dwelling Developments in Mount Hawthorn on Residential land coded R30 and below

That Council REQUIRES Administration to submit a report to Council to consider initiating an amendment to Town Planning Scheme No. 1 for the purpose of prohibiting multiple dwellings in Mount Hawthorn on Residential zoned lots coded R30 and below.

REASON:

At its meeting on 22 July 2014, Council initiated Amendment No. 39 to Town Planning Scheme No. 1 (TPS 1) to apply an "SA" use classification to multiple dwellings in areas of Mount Hawthorn coded R30 and below (requiring mandatory advertising of those proposals before being determined by Council). This amendment is currently being advertised for public comment until 7 October 2014.

Notwithstanding the progress of Amendment No. 39, there still appears to be strong community sentiment for Council to prohibit multiple dwellings on land coded R30 and below in the Mount Hawthorn precinct. A similar prohibition on multiple dwellings already exists under clause 20(4) of TPS 1 in some parts of the Cleaver Precinct, Hyde Park Precinct and Forrest Precinct. Therefore, applying a similar prohibition to areas of Mount Hawthorn coded R30 and below is compatible with existing Scheme provisions.

Further, other local governments, such as the City of Stirling, have pursued Scheme Amendments to impose additional controls or to prohibit multiple dwellings in areas coded R30 and below.

Any new Scheme Amendment adopted by Council to prohibit multiple dwellings in areas of Mount Hawthorn coded R30 and below will generally be able to run in tandem with Amendment No. 39. After advertising of both Scheme Amendments, Council will then be able to decide which of the two amendments it wishes to recommend to the Minister for adoption, having regard to any submissions received during the advertising period of both proposals.

ADMINISTRATION INFORMATION:

Council previously considered this matter at its meetings on 11 February 2014 and 24 June 2014. The latter report to Council recommended adoption of a Scheme Amendment to prohibit multiple dwellings on land coded R30 and below in Mount Hawthorn and to engage consultants to prepare a local planning policy for multiple dwellings on land zoned R40 and below across the City. The Scheme Amendment was not adopted at the time, as it was thought that it could alienate the Mount Hawthorn community with Local Government amalgamations drawing closer. Amendment No. 39 was therefore conceived as a compromise outcome, albeit not the outcome that appeared to be most favoured by the community.

Administration has no objection to presenting a further report to Council, as required by the proposed Motion, for Council to consider initiating a Scheme Amendment to prohibit multiple dwellings from areas of Mount Hawthorn coded R30 and above.

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 REPORT: No. 36 (Lot: 96 D/P: 1106) Cavendish Street, Highgate – Proposed Carport Addition to Existing Single House – Review State Administrative Tribunal (SAT) DR 231 of 2014

Ward:	South	Date:	29 August 2014
Precinct:	Hyde Park, P12	File Ref:	PRO5449; 5.2014.166.1
Attachments:	Confidential – Property Information Report and Development Plans Confidential – Applicants Submission		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Assistant (Statutory)		
Responsible Officer:	P Mrdja, Acting Director of Planning Services		

OFFICER RECOMMENDATION:

That Council:

- 1. Pursuant to Section 5.23(2) of the Local Government Act 1995 and clause 2.14 of the City of Vincent Local Law Relating to Standing Orders, proceeds “behind closed doors” at the conclusion of the items, to consider the confidential report, circulated separately to Council Members, relating to Proposed Carport Addition to Existing Single House - Review State Administrative Tribunal (SAT) DR 231 of 2014, at No. 36 (Lot: 96 D/P: 1106) Cavendish Street, Highgate and as shown on amended plans date-stamped 22 April 2014; and**
- 2. AUTHORISES the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.**

DETAILS:

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

LEGAL:

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

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

“2.14 Confidential business

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

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

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

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

15. CLOSURE
