



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

28 MAY 2013

*This document is available in the following alternative formats
upon request for people with specific needs; large print, Braille
and computer disk*

**INDEX
(28 MAY 2013)**

ITEM	REPORT DESCRIPTION	PAGE
9.1 PLANNING SERVICES		
9.1.1	No. 13 (Lot 24; D/P 2324) Grosvenor Road, Mount Lawley – Proposed Change of Use from Single House to Office Building (PRO3533; 5.2013.94.1)	27
9.1.2	No. 544 (Lot 1; D/P 692) Beaufort Street, Mount Lawley – Proposed Construction of Four-Storey Mixed Use Development Comprising Eight (8) Two Bedroom Multiple Dwellings, Three (3) Offices, One (1) Eating House and Associated Car Parking (Amendment to Planning Approval) (PRO2524; 5.2013.69.1)	39
9.1.3	No. 33 (Lot: 2 STR: 38694) Monmouth Street, Mount Lawley – Proposed Two Storey Grouped Dwelling to Existing Single House (PRO5905; 5.2012.503.1) ITEM WITHDRAWN BY THE CHIEF EXECUTIVE OFFICER AT THE REQUEST OF THE APPLICANT	8
9.1.4	LATE ITEM: FURTHER REPORT: Request for Investigation of Streetscape Policy – Progress Report No. 1 (PLA0179) – <i>Report to follow</i>	91
9.1.5	Amendment No. 109 to Planning and Building Policies – Amendments to Policy No. 3.5.13 - Percent for Public Art (PLA0198)	96
9.1.6	Amendment No. 115 to Planning and Building Policies – Draft Policy No. 3.5.4 - Substantial Commencement of Development (PLA0257)	102
9.1.7	Heritage Strategic Plan 2013-2017 (PLA0088)	79
9.2 TECHNICAL SERVICES		
9.2.1	Britannia Reserve Masterplan – Approval of Masterplan for Consultation and Progress Report No. 4 (RES0117)	9
9.2.2	City of Vincent Garden Competition 2013 (CVC0007)	108
9.3 CORPORATE SERVICES		
9.3.1	Investment Report as at 30 April 2013 (FIN0033)	114
9.3.2	Authorisation of Expenditure for the Period 1 – 30 April 2013 (FIN0032)	13
9.3.3	Financial Statements as at 30 April 2013 (FIN0026)	16
9.4 COMMUNITY SERVICES		
9.4.1	Festivals Programme 2013/2014 (CMS0110)	65
9.4.2	Physical Activity Plan 2013 – Progress Report (CMS0084)	116
9.4.3	No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 3 (PRO5055)	123
9.4.4	No. 368 Oxford Street, Leederville – Application for an Outdoor Eating Area from Oxford Hotel (PRO0630)	132
9.4.5	nib Stadium “Residents Only” Parking Restrictions - Consideration of Submissions (RES0051)	136
9.4.6	City of Vincent Film Project (FIN0172)	23

9.5 CHIEF EXECUTIVE OFFICER

9.5.1	Draft Policy No. 4.1.34 - Active Citizens Award (FIN0202) [Absolute Majority Decision Required]	142
9.5.2	Policy No. 3.8.1 - Outdoor Eating Areas - Review (LEG0025) [Absolute Majority Decision Required]	86
9.5.3	Appointment of Arts Consultant (CMS0010) [Absolute Majority Decision Required]	145
9.5.4	Bi-Annual International Public Works Conference – 2013 (ADM0031)	151
9.5.5	Information Bulletin	26

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

Nil	154
-----	-----

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

Nil	154
-----	-----

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil	154
-----	-----

13. URGENT BUSINESS

Nil	154
-----	-----

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

Nil	154
-----	-----

15. CLOSURE

154

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 28 May 2013, commencing at 6.01pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.01pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr John Carey due to being unwell and

Cr Matt Buckels due to being unwell.

(b) Members on Approved Leave of Absence:

Nil.

(c) Present:

Mayor Hon. Alannah MacTiernan Presiding Member

Cr Warren McGrath (*Deputy Mayor*) South Ward

Cr Roslyn Harley North Ward

Cr Dudley Maier North Ward

Cr John Pintabona South Ward

Cr Joshua Topelberg South Ward

Cr Julia Wilcox North Ward

John Giorgi, JP Chief Executive Officer

Rob Boardman Director Community Services

Carlie Eldridge Director Planning Services

Rick Lotznicker Director Technical Services

Mike Rootsey Director Corporate Services

Jerilee Highfield Executive Assistant (Minutes Secretary)

Employee of the Month Recipient

Nil.

Media

Sara Fitzpatrick Journalist – *"The Guardian Express"* (until approximately 8.10pm)

David Bell Journalist – *"The Perth Voice"* (from 6.05pm until approximately 8.10pm)

Approximately 13 Members of the Public

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

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

1. Mudji Neilsen of 214 Cape Street, Tuart Hill – Item 9.4.1 Stated the following:
 - He thanked the Mayor, the Councillors and Chief Executive Officer Mr John Giorgi for allowing him to speak regarding the “Hyde Park Community Fair 2014”.
 - He spoke on behalf of the Rotary Club of North Perth. The Rotary club will be organising and running the next Community Fair over the Labour long weekend of 3 – 4 March 2014.
 - There was a Hyde Park Fair debrief carried out last week, Cr John Pintabona attended and he will be the liaison person between the Fair committee and the City of Vincent.
 - The City of Vincent is also prepared to assist the Rotary Club in expanding the engagement with the local businesses.
 - He thanked the City of Vincent for their continuing sponsorship for the 2014 Hyde Park Community Fair, the Rotary Club of North Perth and the City of Vincent are working well together as a team.

2. Michael Booth of 54 Beaufort Street, Highgate – Item 9.1.1 Stated the following:
 - Mr Booth was in favour of the Officer Recommendation. He spoke on behalf of the Clients of the property to consider the design and construction of the refurbishment if the Planning Submission is successful.
 - The owners wished to retain the building facade and maintain the character, but yet promote and active and permeable interface in line with the Officer Recommendation. They wished to upgrade the interior of the premises in accordance with the latest accessibility codes in particular the toilet facilities and adequate circulation space.
 - Mr Booth advised that his clients are local and are very familiar with the area and the requirements of the community.

3. Faye Caldwell of Unit 4/8 Wavetree Place, Leederville – Item Stated the following:
 - She spoke not relating to any Agenda Items, however asked the Council regarding the demolition for the Rosewood Aged Care Facility (in Wavertree Place and Britannia Road) and for some guidance.
 - Many of the residents of Wavertree Place and Britannia Road, had experienced damage to their properties since the demolition began and the demolition company have denied that they had caused any of the damage to the properties.
 - She asked the Mayor if she could be directed to the relevant department regarding her queries on behalf of the ratepayers.

The Presiding Member Mayor Hon. Alannah MacTiernan advised Ms Caldwell that there should have been a Demolition Plan that should have been approved, through the Planning and Building Services Section and asked the Director Planning Services to provide a comment.

The Director Planning Services advised that there would have been a Demolition Permit issued and was probably a certified permit.

The Presiding Member advised Ms Caldwell to give the Director Planning Services a call in the morning and the City will provide a copy of the plan and a Building Surveyor to meet with the residents.

4. Stuart Lofthouse of 123 Oxford Street, Leederville – Item Stated the following:
- Mr Lofthouse stated that the above address was not his postal address, his postal address is PO Box 288 and the reason he mentioned this was due to a previous Agenda Item regarding the Oxford Street Park.
 - Mr Lofthouse stated that regarding the Oxford Street Park Public Consultation. For weeks now Debbie Saunders and he had asked the Council regarding who received the mailout for the Public Consultation.
 - He stated that he did not receive a Public Consultation package.
 - Twenty two (22) car parking bays have been designed for the Oxford Street Park and access to this car park is only via the Water Corporation.
 - He stated that he had asked a question that was never answered for three (3) meetings. The question was via the Mayor directed to the Director Community Services regarding what the distance between kerb face and Alfresco specifically addressing the Hotel application for an alfresco licence.

The Presiding Member Mayor Hon. Alannah MacTiernan advised Mr Lofthouse that his time for Public Question time had finished. Mr Lofthouse stated; *"I am quite sure but I am not finished."* He continued speaking stating; *"it was a metre, does anyone know, but obviously you do..."*

The Presiding Member Mayor Hon. Alannah MacTiernan advised Mr Lofthouse that we do need to continue on with the Meeting, Mr Lofthouse stated; *"I have not finished speaking..."*. He continued speaking by stating; *"you (the Mayor) have not listened..."* *"you are running the Council as if it is your own little outfit and it is not satisfactory..."*

The Presiding Member advised Mr Lofthouse that he needs to give others time to talk. Mr Lofthouse stated; *"I do not need to do anything other than say my piece and let it be known clearly that I am not satisfied. In a meeting with the Chief Executive Officer regarding another outrageous act from the Council - being the alfresco in front of "Foam", the Chief Executive Officer stated that he of all people would not like to be dragged in front of the CCC....., what are our avenues to deal with these issues"?*

Mr Lofthouse continued by stating; *"you might pull a face and say what? The Director Technical Services also attended that meeting. What do we have to do...., as I have stated before..., do you need more signatures..., more people to come forward and say hey listen to us..., just like the North Perth - Toilet fiasco where a hundred and sixty (160) people said we don't want it, but yet Mayor you said it is happening. Who is listening to who"?*

The Presiding Member suggested the Council Meeting be adjourned (due to the disruption by Mr Lofthouse). **Procedural Motion: MOVED: Cr Harley, SECONDED:** that the meeting be adjourned. The Chief Executive Officer advised the Presiding Member to turn the microphone off. Mr Lofthouse continued speaking stating; *"turn the microphone off... that's all good and well.... and I am quite sure there are so many more people in this country that have to say stuff and another two (2) minutes of my time..."*

The Presiding Member advised Mr Lofthouse that the Council has a rule... Mr Lofthouse interjected – interrupting the Presiding Member off by stating; *"I know you have a rule..., you have by-laws that are not discretionary...."*

The Presiding Member advised the Meeting it should be adjourned. She asked the Chief Executive Officer to request Mr Lofthouse to be quiet or leave the Meeting.

Mr Lofthouse stated; *"that the Council should pass a Motion of "No Confidence"....* He continued to speak in an irate manner and loud voice towards the Mayor (wording indecipherable) and stated; *"you should adjourn the meeting as this is a disgrace..."*

The Chief Executive Officer went to Mr Lofthouse, who was still standing near the microphone in the Public Gallery and speaking loudly and asked him to be quiet and resume his seat. Mr Lofthouse continued to loudly argue with the Chief Executive Officer. The Chief Executive Officer repeatedly asked him to be quiet and not disrupt the Council Meeting and be seated or leave the Administration Centre. After several firm repeated requests, Mr Lofthouse sat down next to Ms Saunders.

5. Marie Slyth of 89 Carr St, West Perth– Item 9.1.7 Stated the following:
- She stated that she could not find within the Agenda Report about preservation of the trees and it had not been included within the Strategic Plan and asked if it could be added when the Report is discussed tonight.

The Presiding Member Mayor Hon. Alannah MacTiernan asked the Director Planning Services if there was a mention of the preservation of trees. The Director Planning Services advised the Presiding Member that she did not recall a specific mention of trees, however this could be added.

6. Debbie Saunders of 150 Oxford Street, Leederville – Item 9.5.2 Stated the following:
- She asked the Council why was approval given until further investigation was carried out.
 - She asked if the Council could put a Motion forward for the Hotel to reapply with all the relevant information and to provide dimensions by the Hotel and not by a City Officer.
 - Ms Saunders asked Cr Wilcox to “*stop rolling her eyes*”, while she spoke.

The Presiding Member stated to Ms Saunders to address the Meeting and not to the Councillor.

Ms Saunders stated; “Cr Wilcox was rolling her eyes and being rude”...

The Presiding Member advised Ms Saunders that she cannot be lecturing anyone on being rude as she attends the Meetings week after week and hurl insults at the Councillors that are volunteering their services to take the City forward.

Ms Saunders stated; “I would like the Council to do their job.....”

The Presiding Member stated to Ms Saunders that she needed to confine herself to the fact that she and Mr Lofthouse are more than welcome to stand at the next election.

6. Ken McFarlane of 554 Beaufort Street, Mount Lawley – Item 9.1.2 Stated the following:
- He spoke on behalf of Proud Property Group, Architects, Builders and Developers, they had attempted to reinstate a project that had been stalled for a while, with some refinements.
 - In particular he wanted to discuss regarding the carparking issue and the comments regarding the car stackers which were currently being used and reassured that they are being used throughout the world.

There being no further speakers, Public Question Time closed at approx. 6.25pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr McGrath requested leave of absence from 31 May 2013 to 8 June 2013 (inclusive), due to personal commitments.

Moved Cr Topelberg, Seconded Cr Wilcox

That Cr McGrath’s request for leave of absence be approved.

CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey were an apology for the Meeting.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Minutes of the Ordinary Meeting of Council held on 14 May 2013

Moved Cr Maier, Seconded Cr Pintabona

That the Minutes of the Ordinary Meeting of Council held on 14 May 2013 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey were an apology for the Meeting.)

6.2 Minutes of the Special Meeting of Council held on 21 May 2013

Moved Cr Maier, Seconded Cr Pintabona

That the Minutes of the Special Meeting of Council held on 21 May 2013 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey were an apology for the Meeting.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Mayor Hon. Alannah MacTiernan read the following;

7.1 Withdrawal Of Item 9.1.3

A request to withdraw Item 9.1.3 relating to No. 33 Monmouth Street, Mount Lawley – Proposed Two Storey Grouped Dwelling to Existing Single House, at the request of the applicant in order to amend their plans.

7.2 Sir Bob Geldof Function

On Sunday evening the City hosted a Cocktail Function for Sir Bob Geldof, whereby I had the pleasure of presenting him with a Certificate of Friendship for outstanding social activism and services to humanity and his patronage at the 2013 St. Patrick's Day Festival held in Leederville.

The bespoke certificate was created by local street artist, George Domahidy, to reflect the City as a sustainable and caring community built with vibrancy and diversity.

The evening was very successful and I would like to thank the City's Staff for their efforts in organising this function, at such short notice.

7.3 Meeting with the Minister for Local Government

The Chief Executive Officer and I will be attending a meeting with the Minister for Local Government. We have been pulled in groups of five (5) to meet with the Minister and it is a bit unclear as to whether or not he is proposing to advise us tomorrow regarding the Amalgamations.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Maier declared an Proximity interest in Item 9.4.5 – nib Stadium “Residents Only” Parking Restrictions - Consideration of Submissions. The extent of his interest being that he lives in the area covered by the parking restrictions and requested the Council to allow him to participate in debate and vote on the Item.

Cr Dudley Maier departed the Chamber at 6.40 pm – to allow the Council to consider his request to participate in the debate.

PROCEDURAL MOTION:

Moved Cr Pintabona, Seconded Cr Topelberg

That Cr Dudley Maier’s request to participate in the debate and vote on item 9.4.5, be approved.

CARRIED UNANIMOUSLY (6-0)

(Cr Buckels and Cr Carey were an apology for the Meeting.)
(Cr Maier was absent from the Chamber and did not vote.)

Cr Dudley Maier returned to the Chamber at 6.41 pm.

The Mayor Hon. Alannah MacTiernan advised Cr Dudley Maier that his request had been approved.

- 8.2 Cr Harley declared an Impartiality interest in Item 9.4.4 – No. 368 Oxford Street, Leederville – Application for an Outdoor Eating Area from Oxford Hotel. The extent of her interest being that she is a member of the Oxford Scholars Club which provides minor membership benefits which can be redeemed at the Oxford Hotel.

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

Nil.

10. REPORTS

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.1, 9.1.2, 9.1.7, 9.4.1 and 9.5.2

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

Items 9.5.1, 9.5.2 and 9.5.3

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

Item 9.4.5

Presiding Member, Mayor Hon. Alannah MacTiernan, requested Council Members to indicate:

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

COUNCIL MEMBER	ITEMS TO BE DISCUSSED
Mayor Hon. MacTiernan	9.4.4
Cr Buckels	An Apology for the Meeting
Cr Carey	An Apology for the Meeting
Cr Harley	9.2.2
Cr Maier	9.3.1,9.4.3,9.4.5 & 9.5.4
Cr McGrath	9.4.2
Cr Pintabona	Nil
Cr Topelberg	9.1.4, 9.1.5 & 9.1.6
Cr Wilcox	Nil

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer to advise the meeting of:

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

Items 9.2.1, 9.3.2, 9.3.3, 9.4.6 and 9.5.5

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

Nil.

New Order of Business:

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

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

Items 9.2.1, 9.3.2, 9.3.3, 9.4.6 and 9.5.5

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

Items 9.1.1, 9.1.2, 9.1.7, 9.4.1 and 9.5.2

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

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

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

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

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Maier, Seconded Cr Harley

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

Items 9.2.1, 9.3.2, 9.3.3, 9.4.6 and 9.5.5

CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey were an apology for the Meeting.)

9.1.3 No. 33 (Lot: 2 STR: 38694) Monmouth Street, Mount Lawley – Proposed Two Storey Grouped Dwelling to Existing Single House

ITEM WITHDRAWN BY THE CHIEF EXECUTIVE OFFICER AT THE REQUEST OF THE APPLICANT.

9.2.1 Britannia Reserve Masterplan – Approval of Masterplan for Consultation and Progress Report No. 4

Ward:	South	Date:	17 May 2013
Precinct:	Leederville (3)	File Ref:	RES0117
Attachments:	001 – Overall Sketch Plan – Indicative Option 002 – Dog Off Leash Area – Option 1 003 – Dog Off Leash Area – Option 2		
Tabled Items:	Nil		
Reporting Officers:	A Birch, Senior Community Development Officer J Anthony, Manager Community Development J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

- APPROVES IN PRINCIPLE** the Plan for the Britannia Reserve Master Planning process, as shown on Attachment 9.2.1A including the two (2) options for Dog Off Leash Areas, as outlined in Option 1 and Option 2 below:

Option	Item	Attachment No.
Option 1	Maintain Dog Off Leash Area as is, with improved signage and delineation	9.2.1B
Option 2	Increase Dog Off Leash Area to include entire reserve with some time/activity restrictions	9.2.1C

- CONSULTS** for a period of twenty-one (21) days, in accordance with the City’s Consultation Policy, with the Community regarding the proposal/s outlined in clause 1 above, with residents and all other users of the park, including the attendees at the community workshop held on 9 December 2012; and
- RECEIVES** a further report in July 2013, at the conclusion of the consultation period.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of the report is to advise the Council of the results of the recent Community Workshop and the proposed concept plan for Britannia Reserve undertaken by Place Scape as part of the Master Plan consultancy project.

BACKGROUND:

Ordinary Meeting of Council held on 12 June 2012:

Progress Report No. 2 was presented where it was resolved:

"That the Council;

1. *RECEIVES the information contained in Progress Report No. 2 Britannia Reserve Master Plan Working Group;*
2. *APPROVES the:*
 - 2.1 *Terms and Scope of Works outlined in the 'Request for Quotation' (RFQ) brief as attached in Appendix 9.2.4; and*
 - 2.2 *advertising of the RFQ brief for a period of twenty-one (21) days, inviting suitably qualified consultants to apply for the scope of works required; and*
3. *RECEIVES a further report, on the matter as outlined in Clause 2.2, at the conclusion of the submission period."*

Meeting of Council held on 28 August 2012:

Progress Report No. 3 was presented where it was resolved:

"That the Council ACCEPTS the submission by Place Scape as being the most suitable to the City for the development of the Britannia Reserve Masterplan."

DETAILS:

Place Scape was contracted in September 2012 to work on a Master Plan for Britannia Reserve which involved the following:

1. Conduct community consultation to guide development of Master Plan for Britannia Reserve, including community workshop;
2. Develop sketch plan representing community-generated views, ideas and options; and
3. Develop and distribute an online community survey for final comment.

Integrated Transport Advisory Group (iTAG) Meeting 26 November 2012:

Representatives from the BRMWG were invited to attend the iTAG meeting. Some of the issues raised at the meeting are outlined as follows:

- The 85% speed on Britannia Road varies from 46kph to 54kph, it is not 10kph higher approaching the roundabout as indicated by some BRMWG members.
- There are approximately 250 bays in the car park areas and about another 250 bays on the road (verge). If people need to walk over 200 metres from the venue then anti social parking behaviour occurs such as blocking driveways in an endeavour to find a closer spot. Most of the problems occur at the changeover of games as one group arrives and the other leaves.
- Concerns were raised regarding the sudden influx of traffic on Saturday mornings during the rugby season (Feb/Mar to midyear) with as many as 3,000 to 5,000 parents and children (between 7.00am and 2.00pm). Therefore, it is more a park management issue. It was suggested that the rugby could extend the games out over the entire day rather than try to finish at 2.00pm as currently occurs.

It was decided this could be discussed with the club. The need for better enforcement of parking etc was also discussed.

- The staff presented an option to make Britannia Road narrower with nibs/greening/perpendicular parking to reduce speed and increase the parking compliance.

Some members of the BRMWG considered that this was unnecessary and that rather better park usage management was required.

Comments:

The matters raised are considered to be separate from the park improvement proposals presented in this report and are or will be pursued as a separate exercise.

Community Workshop – 9 December 2012:

A community workshop was held on Sunday 9 December 2012 at Britannia Reserve Clubrooms from 1pm to 4:30pm.

Over 750 residents in surrounding streets were sent an Expression of Interest (EOI) to attend the workshop, as well as representatives of sporting clubs and organisations that use the reserve throughout the year. The EOI included a short survey to complete to ensure that if residents or representatives were unable to attend that their thoughts and views on the masterplanning process were still able to be considered.

The workshop had a total of twenty-three (23) attendee's, including two (2) Council Members, five (5) City of Vincent Officers, five (5) representatives from organisations that utilise the Reserve and eleven (11) residents from surrounding streets and Leederville Gardens Retirement Village.

The workshop's aim was to develop concept plans by determining the reserve user's realistic needs and wants. This was done by discussing the current use and potential future use of the reserve, a site assessment and survey, the discussion of results and the development of concept plans.

Britannia Reserve Working Group Meeting – 13 February 2013:

The consultants made a presentation to the Britannia Reserve Working Group (BRWG) with outcomes of the workshop and an Indicative Masterplan Option. The BRWG members provided immediate comments and were also given one (1) week to respond with further comments for the consultants to consider.

Council Forum – 19 March 2013:

Upon receipt of feedback from BRWG members, the consultants refined the Indicative Master Plan Option and presented this to the Council Forum on Tuesday 19 March 2013. Feedback from Council Members at this Forum highlighted general consent for the overall concept of the plan, with a variety of options for the extent of dog off leash area to be considered for approval.

Britannia Reserve Working Group Meeting – 29 April 2013:

Final Concept Plans were presented to the BRWG by the consultants, with a final Proposed Overall Sketch Plan, as shown in attachment 9.2.1A and two (2) options for the Dog Off Leash Area, as shown in attachments 9.2.1B and 9.2.1C.

CONSULTATION/ADVERTISING:

Consultation regarding the proposal will be undertaken in accordance with the City's Consultation Policy, with residents and all other users of the reserve, including the attendees at the recent community workshop.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The recommendations of the study will improve the amenity and useability of the reserve for structured and unstructured recreation.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016*, Objective 1 states:

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure.*
 - 1.1.4 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*
 - 1.1.5 *Take action to improve transport and parking in the City and mitigate the effects of traffic.*
 - 1.1.6 *Enhance and maintain the City's parks, landscaping and the natural environment."*

Objective 3 states:

"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.*
 - 3.1.4 *Continue to implement the principles of universal access.*
 - 3.1.6 *Build capacity within the community to meet its needs."*

SUSTAINABILITY IMPLICATIONS:

The Sketch Plan concepts are based on sustainable and eco-friendly design principles with the inclusion of natural vegetation, nature play principles and increase diversity of experience within the reserve.

FINANCIAL/BUDGET IMPLICATIONS:

A total of \$200,000 has been listed for consideration in the 2013/2014 Draft Budget for Britannia Reserve. Following consultation and depending on the outcome etc the estimated cost of implementing the proposal will be determined and an implementation timetable developed.

COMMENTS:

The Proposed Sketch Plan as shown in attachment 9.2.1A has been developed as a result of the initial consultation with reserve users, surrounding residents, the Britannia Reserve Working Group and feedback from the Council Forum.

The options regarding the extent and delineation of Dog Off Leash Area have developed as a result of differing feedback so far and a final decision is required.

9.3.2 Authorisation of Expenditure for the Period 1 – 30 April 2013

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	FIN0032
Attachments:	001 – Creditors Report		
Tabled Items:	-		
Reporting Officers:	O Wojcik, Accounts Payable Officer; B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

1. Schedule of Accounts for the period 1 April – 30 April 2013 and the list of payments;
2. Direct lodgement of payroll payments to the personal bank account of employees;
3. Direct lodgement of PAYG taxes to the Australian Taxation Office;
4. Direct lodgement of Child Support to the Australian Taxation Office;
5. Direct lodgement of creditors payments to the individual bank accounts of creditors; and
6. Direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;

Paid under Delegated Authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 as shown in Appendix 9.3.2.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
Nil.		

PURPOSE OF REPORT:

To present to the Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 April – 30 April 2013.

BACKGROUND:

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

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

DETAILS:

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

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Automatic Cheques	73980 - 74150	\$291,893.54
Transfer of Creditors by EFT Batch	1517 – 1519, 1521 – 1526, 1528, 1529	\$3,738,657.88
Transfer of PAYG Tax by EFT	April 2013	\$277,459.66
Transfer of GST by EFT	April 2013	
Transfer of Child Support by EFT	April 2013	\$1,179.84
Transfer of Superannuation by EFT:		
• City of Perth	April 2013	\$29,804.22
• Local Government	April 2013	\$103,431.81
Total		\$4,442,426.95
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$9,863.29
Lease Fees		\$95,634.16
Corporate MasterCards		\$14,471.46
Loan Repayment		\$194,101.70
Rejection fees		\$75.00
Total Bank Charges & Other Direct Debits		\$314,145.61
Less GST effect on Advance Account		0.00
Total Payments		\$4,756,572.56

LEGAL POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

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

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

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

SUSTAINABILITY IMPLICATIONS:

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

ADVERTISING/CONSULTATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENT:

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

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

9.3.3 Financial Statements as at 30 April 2013

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	FIN0026
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	B C Tan, Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the **Financial Statements** for the month ended **30 April 2013** as shown in **Appendix 9.3.3**.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 30 April 2013.

BACKGROUND:

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

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

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

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

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

DETAILS:

The following documents represent the Statement of Financial Activity for the period ending 30 April 2013:

Note	Description	Page
1.	Summary of Income and Expenditure by Service Areas	1-29
2.	Statement of Financial Activity by Programme Report	30
3.	Statement of Financial Activity by Nature or Type Report	31
4.	Statement of Financial Position	32
5.	Statement of Changes in Equity	33
6.	Capital Works Schedule	34-40
7.	Restricted Cash Reserves	41
8.	Sundry Debtors Report	42
9.	Rate Debtors Report	43
10.	Beatty Park Leisure Centre Report – Financial Position	44
11.	Major Variance Report	45-54
12.	Monthly Financial Positions Graph	55-57

1. SIGNIFICANT ACCOUNTING POLICIES AND NOTES

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

Comments on the financial performance are set out below:

2. As per Appendix 9.3.3.

3. Statement of Financial Activity by Programme Report

Operating Revenue excluding Rates

YTD Actual	\$15,180,405
YTD Revised Budget	\$17,085,928
YTD Variance	\$1,905,524
Full Year Budget	\$20,198,425

Summary Comments:

The total operating revenue is currently 89% of the year to date Budget estimate.

Major contributing variances are to be found in the following programmes:

General Purpose Funding – 20% under budget;
 Governance – 81% under budget;
 Law, Order, Public Safety – 33% over budget;
 Health – 7% under budget;
 Education and Welfare – 7% under budget;
 Community Amenities – 28% over budget;
 Recreation and Culture – 18% under budget;
 Transport – 14% under budget;
 Economic Services – 29% under budget;
 Other Property and Services – 141 over budget; and
 General Administration (Allocated) – 11% over budget.

Operating Expenditure

YTD Actual	\$36,867,242
YTD Revised Budget	\$37,361,464
YTD Variance	\$494,222
Full Year Budget	\$45,143,870

Summary Comments:

The total operating expenditure is currently 99% of the year to date Budget estimate.

Major contributing variances are to be found in the following programmes:

General Purpose Funding – 5% under budget;
 Law and Order – 4% over budget;
 Health – 9% under budget;
 Education and Welfare – 5% under budget;
 Community Amenities – 5% under budget;
 Recreation and Culture – 3% under budget;
 Transport – 7% under budget;
 Economic Services – 13% under budget;
 Other Property & Services – 252% over budget; and
 General Administration (Allocated) – 111% under budget.

Net Operating and Capital Excluding Rates

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

YTD Actual	\$20,684,062
YTD Revised Budget	\$20,796,585
Variance	(\$112,523)
Full Year Budget	\$26,434,292

4. Statement of Financial Activity by Nature and Type Report

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

5. Statement of Financial Position and

6. Statement of Changes in Equity

The statement shows the current assets of \$17,987,891 and non-current assets of \$203,580,025 for total assets of \$221,567,916.

The current liabilities amount to \$9,841,076 and non-current liabilities of \$19,356,716 for the total liabilities of \$29,197,791.

The net asset of the City or Equity is \$192,370,124.

7. Net Current Funding Position

	30 April 2013 YTD Actual \$
Current Assets	
Cash Unrestricted	3,309,754
Cash Restricted	9,205,606
Receivables – Rates and Waste	229,173
Receivables – Others	3,198,118
Inventories	165,679
	16,108,330
Less: Current Liabilities	
Trade and Other Payables	(4,068,951)
Provisions	(2,642,304)
Accrued Interest (included in Borrowings)	(55,297)
	(6,766,552)
Less: Restricted Cash Reserves	(9,205,606)
Net Current Funding Position	136,172

8. Capital Expenditure Summary

The Capital Expenditure summary details projects included in the 2012/2013 budget and reports the original budget and compares actual expenditure to date against these.

	Budget	Year to date Revised Budget	Actual to Date	%
Furniture & Equipment	\$310,640	\$194,990	\$136,697	70%
Plant & Equipment	\$1,757,000	\$1,151,537	\$1,035,277	90%
Land & Building	\$11,289,000	\$11,221,513	\$8,776,098	78%
Infrastructure	\$13,916,365	\$11,056,454	\$5,067,810	46%
Total	\$27,273,005	\$23,624,494	\$15,015,882	64%

Note: The actual to date value for Plant and Equipment is the net of trade in value of the purchase price.

Note: Detailed analyses are included on page 34 – 40 of Appendix 9.3.3.

9. Restricted Cash Reserves

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

The balance as at 30 April 2013 is \$9.2m. The balance as at 30 April 2012 was \$19.6m.

10. Sundry Debtors

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$863,719 is outstanding at the end of April 2013.

Out of the total debt, \$367,246 (42.5%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking. The Cash in Lieu Parking debtors have special payment arrangement for more than one year.

The Sundry Debtor Report identifies significant balances that are well overdue.

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

11. Rate Debtors

The notices for rates and charges levied for 2012/13 were issued on the 23 July 2012.

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

First Instalment	27 August 2012
Second Instalment	29 October 2012
Third Instalment	3 January 2013
Fourth Instalment	7 March 2013

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

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$10.00 per instalment
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 30 April 2013 including deferred rates was \$332,758 which represents 1.36% of the outstanding collectable income compared to 1.92% at the same time last year.

12. Beatty Park Leisure Centre – Financial Position Report

As at 30 April 2013 the operating deficit for the Centre was \$1,276,539 in comparison to the year to date budgeted deficit of \$617,276.

The cash position showed a current cash deficit of \$841,303 in comparison year to date budget estimate of a cash deficit of \$177,846. The cash position is calculated by adding back depreciation to the operating position.

The indoor pool re opened on the 23rd July, 2012. The new 50 metre outdoor pool opened on 22 November, 2012 with the other outdoor pools opening in mid December. It should be noted that it was budgeted for the complete redeveloped centre to open in December 2012 which opened in March 2013.

13. Major Variance Report

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

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

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

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

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

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

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

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

9.4.6 City of Vincent Film Project

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	FIN0172
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts & Creativity J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES** the amendments to the City of Vincent Film Project, as detailed in the report.

COUNCIL DECISION ITEM 9.4.6

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

To outline the proposed changes to the City of Vincent Film Project.

BACKGROUND:

At the Ordinary Meeting of Council held on 26 April 2005, the Council approved the Community Arts Film Project.

As part of the Community Arts Program, a series of short films are commissioned by the City of Vincent in collaboration with the Film and Television Institute. The films are screened as a community film event held in the City of Vincent each year. The commissioned films are made in the City of Vincent and include drama and documentary films. The films are made with the view that the target audience would be residents of the City of Vincent.

The films offer the audience the opportunity to glimpse into and reflect on different aspects of their community. In the past, different community groups have been highlighted.

Four films are commissioned with an approximate duration of approximately five minutes. The categories are:

- **Portraits of Vincent.** A documentary styled film. Looking at a particular person or group living or working within the City.
- **Incident in Vincent.** A narrative based film set in the City of Vincent.
- **Open category.** This film is limited to the filmmaker being a resident.
- **Community collaboration.** A film made between an experienced film maker and specific community in the City of Vincent. In 2012. this was the Artists in Residence documentary and previously Vincent community groups have been the focus.

The first three categories are a direct commission between emerging film makers and the City of Vincent and FTI.

Timeline:

- June 2013 Film Project Launch- advertising begins;
- July 2013 Applications close;
- August 2013 Announcement of successful applicants;
- August-December 2013 Production of films; and
- January/February 2014 Screening of films as part of the Summer Concerts.

The screening of the films at Banks Reserve on the large inflatable screen has been a successful event in Vincent's event calendar. The screening night includes a band, the short films and then a popular PG or G rated family movie is played as part of a free community event.

DETAILS:

The films project has had the same format for the past eight years and this has worked well; however, it has become evident that the overall quality of storytelling and production require some further investment and attention. Upon discussions with the Film and Television Institute (FTI), it was negotiated that each of the short film's cash budget be increased by \$1,000 from \$3,000 to \$4,000. It was evident in previous records that the in-kind support for the films, which is to be expended on equipment hire and facilities at FTI, had not been fully expended over the previous years.

FTI proposed that this in-kind support can be redirected to increase the cash budget. The City's expenditure on the project will remain the same, but filmmakers will have more development in the early scripting and production phases.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low.

STRATEGIC IMPLICATIONS:

The City of Vincent's Plan for the Future, Strategic Plan 2011 – 2016:

"Key Result Area Three – Community Development – Objective 3.1: Enhance and Promote Community Development and Wellbeing:

3.1.1(b) Encourage and promote cultural and artistic expression throughout the City."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Previous years Film Project breakdown:

FTI Coordination Fee	\$11,500
Film Production Contribution	\$10,500
Archiving	\$ 1,500
Total:	<u>\$23,500</u>

The New proposed Film Project budget breakdown is:

FTI Coordination Fee	\$ 4,000
Professional Mentors and Script Editors	\$ 3,000
Film Production Cash Grants (3 x \$4000 grants)	\$12,000
In-kind support	\$ 3,000
Archiving	\$ 1,500
Total:	<u>\$23,500</u>

COMMENTS:

The City's expenditure remains the same, and the films and filmmakers will benefit more by an increased cash budget and targeted mentoring and script edits. The Film Project provides the City with a unique way of recording our stories, whilst at the same time developing and nurturing creative talent. The film project is a fantastic initiative that, with this extra attention, can become much more successful.

9.5.5 Information Bulletin

Ward:	-	Date:	17 May 2013
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Information Bulletin dated 17 May 2013, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.5

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

DETAILS:

The items included in the Information Bulletin dated 3 May 2013 are as follows:

ITEM	DESCRIPTION
IB01	Unconfirmed Minutes of the Design Advisory Group Meeting held on 1 May 2013
IB02	Mindarie Regional Council Ordinary Council Meeting Minutes held on 2 May 2013
IB03	WALGA State Council Summary Minutes Meeting held 3 May 2013
IB04	Western Australia Police Infringement Management and Operations Traffic and Emergency Response Letter Regarding Red Light/Speed Camera – Beaufort and Walcott Streets, Mount Lawley dated 6 May 2013

9.1.1 No. 13 (Lot 24; D/P 2324) Grosvenor Road, Mount Lawley – Proposed Change of Use from Single House to Office Building

Ward:	South	Date:	17 May 2013
Precinct:	Norfolk; P10	File Ref:	PRO3533; 5.2013.94.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicants Justification dated 8 March 2013 003 – Applicants Justification dated 9 April 2013 004 – Applicants Response to Community Consultation Comments		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Acting Senior Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Cardno (WA) Pty Ltd on behalf of the owner, LT Vuong & MT Hoang for Proposed Change of Use from Single House to Office Building at No. 13 (Lot 24; D/P 2324) Grosvenor Road, Mount Lawley, and as shown on plans stamp-dated 8 May 2013, subject to the following conditions and advice notes:

1. The use of the subject site for an office building is subject to and conditional upon the retention and reuse of the existing dwelling on the subject site;
2. The office is limited to a maximum of four (4) employees at any one time;
3. The hours of operation shall be limited to 8:30am to 5:30pm Monday to Friday;
4. The maximum gross floor area of the office shall be limited to 178.5 square metres;
5. The doors, windows and adjacent floor areas fronting Grosvenor Road shall maintain an active and interactive relationship with this street;
6. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION**, the following shall be submitted to and approved by the City:

6.1 Amended Plans

Amended plans are required demonstrating the following:

- 6.1.1 The street setback area, excluding the area required for car parking and pedestrian access, is to be landscaped in accordance with the objectives of the City's Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface;
- 6.1.2 Car bay No. 1, as indicated on the plans stamp-dated 8 May 2013, is to comply with the Australian Standards AS2890.6;
- 6.1.3 Car bay Nos. 3 and 4, as indicated on the plans stamp-dated 8 May 2013, are to comply with the Australian Standards AS2890.1;

6.1.4 Car bay Nos. 2 and 5, as indicated on the plans stamp-dated 8 May 2013, are to be deleted; and

6.1.5 The proposed carport to the rear of the property is to be deleted;

6.2 **Landscaping and Reticulation Plan**

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City's Parks and Property Services for assessment and approval.

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

6.2.1 Provision of increased soft landscaping with a view to significantly reduce areas of hardstand and paving;

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

6.2.3 All vegetation including lawns;

6.2.4 Areas to be irrigated or reticulated and such method;

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

6.2.6 Separate soft and hard landscaping plants (indicating details of materials to be used).

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

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

6.3 **Right of Way Widening**

No new development shall occur within 1 metre of the southern boundary of No. 13 Grosvenor Road, to facilitate future right of way widening;

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

7.1 **Commercial Car Parking**

Four (4) car parking spaces for the office shall be clearly marked and signposted;

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 prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;

7.3 **Bicycle Parking Facilities**

One (1) class one or two bicycle facility shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facility shall be submitted to and approved by the City prior to installation of such facility; and

7.4 **Vehicular Entry Gates**

Any proposed vehicular entry gates shall be a minimum 50 per cent visually permeable, and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted; and

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

ADVICE NOTES:

1. With regards to conditions 2, 3 and 4, any increase in employees, hours of operation and/or floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
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 Grosvenor Road and the southern right-of-way;
4. Any new street/front wall, fence and gate within the Grosvenor Road setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences; and
5. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage.

COUNCIL DECISION ITEM 9.1.1

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

The application is referred to Council for determination given the proposal relates to an 'SA' use and one (1) objection was received.

BACKGROUND:

History:

Date	Comment
6 April 2006	A development application was lodged with the City for a change of use from single house to consulting rooms, which was subsequently cancelled on 26 April 2007.
9 November 2010	Council at its Ordinary Meeting conditionally approved a development application for proposed change of use from single house to medical consulting rooms and associated alterations to the existing building.
6 December 2011	Council at its Ordinary Meeting refused a development application for proposed change of use from single house to medical consulting rooms and associated alterations to the existing building (reconsideration of condition).

Previous Reports to Council:

Nil.

DETAILS:

The application is for a change of use from single house to office building at No. 13 Grosvenor Road, Mount Lawley. The applicant has advised that the proposed office is to be used for mortgage broking services where they propose to have a maximum of four (4) employees at any one time and expect two (2) clients at the premise per week.

The proposed hours of operation for the office building are from 9:00am to 5:00pm Monday to Friday.

The proposed change of use comprises minor alterations and additions to the existing building, as follows:

- Internal modifications to provide three (3) offices, a reception, printing store room, boardroom, tea room and toilets facilities;
- Converting the existing entrance to a window;
- Proposed new entrance to the building to the reception area;
- Extension of the existing verandah to provide additional weather protection to the new entrance of the building;
- Proposed front fence;
- Removal of the existing outbuilding to the rear of the site; and
- Additional car parking spaces to the rear of the site.

Landowner:	L T Vuong & M T Hoang
Applicant:	Cardno (WA) Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R40
Existing Land Use:	Single House
Use Class:	Office Building
Use Classification:	"SA"
Lot Area:	450 square metres
Right of Way:	Southern side, 4 metres wide, sealed.

ASSESSMENT:

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

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	N/A		
Streetscape	N/A		
Roof Forms	N/A		
Front Fence	✓		
Front Setback	N/A		
Building Setbacks	N/A		
Boundary Wall	N/A		
Building Height	N/A		
Building Storeys	N/A		
Open Space	N/A		
Bicycles	✓		
Access & Parking	✓		
Privacy	N/A		
Solar Access	N/A		
Site Works	N/A		

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Essential Facilities	N/A		
Surveillance	✓		
Landscaping			✓
Non-Residential Development Interface			✓
Economic Development			✓

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

Issue/Design Element:	Landscaping
Requirement:	<p>Non-Residential/Residential Development Interface Policy No. 3.4.3 Clause 7) vii) Car parking within the street setback area is not permitted except where a landscape buffer with a minimum width of 1.5 metres can be provided adjacent to the street frontage.</p> <p>Non-Residential/Residential Development Interface Policy No. 3.4.3 Clause 8) ii) Ten percent of the site area for non-residential development adjacent to residential areas is to be landscaped, where possible this is to include front setback areas.</p> <p>Ten percent: 45 square metres</p>
Applicants Proposal:	<p>No landscape buffer is provided between the car parking located in the street setback area and the front lot boundary.</p> <p>0.53 percent (2.4 square metres) of the site area is landscaped.</p>
Performance Criteria:	Not applicable.
Applicant justification summary:	<p><i>"Clause 7(vii) of the City of Vincent's Planning Policy 3.4.3 – Non Residential/Residential Development Interface (Policy 3.4.3) stipulates that car parking within the street setback area is not permitted except where a landscaped buffer with a minimum width of 1.5 metres can be provided adjacent to the street frontage. The proposal provides no landscaping buffer and as such a variation to this requirement is sought.</i></p> <p><i>The proposal seeks to maintain the existing residential character of the site, and as such no major development works are proposed as part of this Change of Use application. The minor changes to the building's facade will maintain the existing residential appearance of the building. No changes to the existing driveway has been proposed to maintain the existing character of the streetscape. The provision of a landscape buffer with a minimum width of 1.5 metres will require a major change in the design of the proposal which will have an impact on the existing interface with the streetscape and promote a commercial orientated development. As such a variation to this requirement is sought to ensure the existing interface treatment with the residential streetscape is maintained.</i></p>

Issue/Design Element:	Landscaping
	<p><i>Clause 8(ii) of Policy 3.4.3 requires 10 percent of the site area for non-residential development adjacent to residential areas be landscaped, and where possible within the front setback area. The proposal provides for 0.53 percent of landscaping within the front setback area. A variation to this provision is sought as part of this application. There is precedent on Grosvenor Road where commercial development does not provide a minimum of 10 percent landscaping and/or provide landscaping within the front setback area. For example, 'Psychology Australia' which is located at 10 Grosvenor Road, Mount Lawley provides no landscaping within the front setback area of the development, with only a few trees in the rear of the development, which are not visible from Grosvenor Road and as such does not provide any amenity values to the streetscape. Although the proposal only involves a small portion of landscaping within the front setback, the intent to maintain the existing residential character of the building will ensure that the interface with the residential streetscape is maintained. On this basis it is requested that a variation to this provision be approved by the City."</i></p>
Officer technical comment:	<p>The car parking located within the street setback area, utilised the existing crossover and driveway accessed via Grosvenor Road. In this instance it is considered supportable that there is no landscaping buffer provided between the car parking space and the front lot boundary, as the proposal is not altering the existing crossover or driveway, therefore it is not detracting from the existing residential character of the building.</p> <p>The extent of landscaping provided on-site is not considered supportable in this instance. The City's Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface requires 10 percent (45 square metres) of the site area to be landscaped, however the proposal comprises 0.53 percent (2.4 square metres) of the site area being landscaped. It is noted that the existing site survey demonstrates that the subject site comprises approximately 20 square metres of landscaping within the setback area, with the proposed change of use reducing the amount of landscaping provided on-site. In light of this, it is recommended that it be a condition of approval that the street setback area, excluding the area required for car parking and pedestrian access, is to be landscaped.</p>

Issue/Design Element:	Non-Residential Development Interface
Requirement:	<p>Economic Development Strategy 2011-2016 Minimise the sprawl of commercial developments outside designated activity centres to encourage precinct-based growth whilst protecting residential areas from 'commercialisation'.</p>

Issue/Design Element:	Non-Residential Development Interface
	<p>Non-Residential/Residential Development Interface Policy No. 3.4.3 Clause 1) ii) The City does not support the ad-hoc or indiscriminate use of residential properties for non-residential uses where it would result in an unreasonable interruption of the residential amenity and continuity of residential uses. Only those sites, commonly referred to as buffer sites, would be suited to low scale, low intensity, interactive uses which may serve the day-to-day needs of the local resident population and can generate pedestrian traffic and surveillance of the street.</p> <p>Note: Where different zonings adjoin, a buffer site is the lot (or lots) that abut one another separating one zone from the other. For example, a buffer site may be a residential development in a non-residential area, which forms the barrier or separator to adjoining non-residential uses in Commercial, Local Centre and District Centre Areas.</p>
Applicants Proposal:	<p>The subject site is located outside of an activity centre and within a residential area.</p> <p>The subject site is not technically a buffer site but does adjoin the commercial area and the City's carpark.</p>
Performance Criteria:	Not Applicable.
Applicant justification summary:	<p><i>The proposed change of use will entail modifications to the existing residential dwelling and as such retain existing dwelling stock. The alterations proposed to the dwelling will enhance the residential character of the existing building and will be of a type and character which is appropriate to the immediate area.</i></p> <p><i>The proposed business use will not adversely impact upon the amenity of the existing and nearby dwellings, as negligible levels of noise, illumination, traffic etc. will be generated by the use and will not be in excess of normal residential living standards."</i></p>
Officer technical comment:	<p>The proposed office building is considered to be supportable in this instance, as the subject site functions similar to a buffer site.</p> <p>The subject site adjoins the Chelmsford Road Car Park. It is noted that the car park sits over three (3) lots, whereby two (2) lots are zoned District Centre and one (1) lot is zoned Residential R40. The portion of the car park which is zoned Residential R40 abuts the eastern boundary of the subject site.</p> <p>In light of the above, although the portion of the car park zoned Residential R40 is the buffer site; the subject site comprising the change of use from single house to office building functions as the buffer site.</p> <p>Buffer sites permit uses which are of a low scale, low intensity and comprise interactive uses which may serve the day-to-day needs of the local resident population, which can generate pedestrian traffic and surveillance of the street.</p>

Issue/Design Element:	Non-Residential Development Interface
	<p>It is considered that the proposed office is of a small scale and low intensity, as the office will operate 9:00am to 5:00pm Monday to Friday and have a maximum of four (4) employees at any one time, with it expecting two (2) clients at the premise per week. It is also considered that the proposed office, being a mortgage broking service, provides a service which has the potential to serve the needs of the local residents.</p> <p>As the proposal is for a change of use from single house to office building, which comprises some minor changes to the front facade of the building, it does not interrupt the existing residential amenity. The proposed external changes to the building are not detrimental to the character of the building, with the internal changes also providing for the ability of the building to be reconverted to a residence in the future.</p>

Car Parking	
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> • Office 1 space per 50 square metres of gross floor area Gross Floor Area: 178.5 square metres = 3.57 car bays Total car bays required = 4 car bays	= 4 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.80 (within 50 metres of a public car parking place with in excess of 50 car parking spaces) 	(0.68)
Minus the car parking provided on-site	4 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant surplus	1.28 car bays

It is noted that the applicant's justification dated 8 March 2013 and the proposed site plan indicate that there are six (6) car parking spaces provided on-site; however there are only four (4) compliant car parking spaces provided on-site. The four (4) compliant car parking spaces comprise the existing single garage located under the balcony and tea room, car bay No. 1 located in the street setback area and accessed via Grosvenor Road, and car bay Nos. 3 and 4 located to the rear of the site and accessed via the right-of-way.

Car bay No. 2, which is located within the street setback area and accessed via Grosvenor Road, is unable to be supported in this instance as it is required for the shared area of the disabled car bay in accordance with Australian Standards AS2890.6. Therefore the removal of car bay No. 2 provides for the disabled car bay, being car bay No. 1, to be able to comply with the requirements of the Australian Standards AS2890.6.

Car bay No. 5, which is located to the rear of the site and accessed via the right-of-way, is unable to be supported in this instance as it is located within the future right-of-way widening. Further to this, it is also noted that the proposed carport is unable to be supported in this instance as it is also located within the future right-of-way widening area and details of the proposed carport have not been provided to the City.

In light of the above, it is recommended that it be a condition of approval that amended plans are required prior to the issue of a Building Permit, demonstrating that the carport and car bays Nos. 2 and 5 have been removed from the proposed site plan.

Bicycle Parking
<p>Office (178.5 square metres):</p> <ul style="list-style-type: none"> • 1 space per 200 square metres gross floor area (class 1 or 2) = 0.8925 spaces • 1 space per 750 square metres over 1000 square metres (class 3) = Nil <p><u>Required</u> 0.8925 spaces = 1 space</p> <p><u>Provided</u> 1 space</p>

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
--------------------------	----	-------------------------------------	-----

Comments Period:	5 April 2013 to 26 April 2013
Comments Received:	One (1) objection

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Loss of residential amenity.</p> <ul style="list-style-type: none"> • It is considered that this type of commercial encroachment into the residential area will significantly reduce amenity by no longer providing neighbours, by typically increasing day to day activity and noise during working hours and then in the evenings and non working days creating a strange and unpleasant sense of emptiness and hollowness within the community. • It is considered that if any such proposal was approved it will set a dangerous and unfortunate precedent for supporting further commercial encroachment into the neighbourhood which would have further adverse consequences for the community. • It is considered that this is an opportunistic attempt to profit by converting a cheaper residential property into more valuable commercial real estate, which unfortunately will come at the expense of the residential neighbourhood. 	<p>Not supported. The subject site functions as a buffer site, whereby the proposed office is of a small scale and low intensity, which provides a service that serves the needs of the local residents.</p> <p>The proposed change of use from single house to office building does not interrupt the existing residential amenity, as the external changes to the building are not detrimental to the character of the building, and the internal changes also providing for the ability of the building to be reconverted to a residence in the future.</p> <p>Each development application is assessed on its individual merit; therefore the proposed change of use from single house to office does not set a precedent to support commercial uses on other residential zoned land within the locality.</p>
<p>Issue: Increased traffic</p> <ul style="list-style-type: none"> • The proposal contemplates three car parking bays from the right-of-way between Chelmsford and Grosvenor Roads we believe this will no doubt increase traffic through the right-of-way and compound the increasing problem of cars using this alternative traffic route from the car park behind the IGA on Beaufort Street. The sound of cars regularly using this right-of-way from adjoining residences is loud and deprives local residents from utilising the right-of-way as intended. 	<p>Not supported. The proposed vehicle access via the rear right-of-way complies with the City Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface as it requires vehicle access to on-site parking to be provided from a right-of-way.</p> <p>There are four (4) compliant car parking spaces provided on-site which is in accordance with the requirements for an office under the City's Policy No. 3.7.1 relating to Parking and Access, with the proposal comprising a surplus of 1.28 car bays.</p>

Summary of Comments Received:	Officers Technical Comment:
<ul style="list-style-type: none"> This proposed change of use will also, notwithstanding provision for parking has been made, increase traffic and reduce parking on Chelmsford Road. Currently many business owners/employees/customers and clients that operate/use shops around Beaufort Street use and park on Chelmsford Road, whereby another business will only exacerbate this current problem for the residential community. 	
<p>Issue: Reduced neighbourhood security.</p> <ul style="list-style-type: none"> The lack of people living at the proposed change of use location will clearly lead to a lack of neighbourhood security which considering the location is important given the anti social problems associated with the area, especially in the evenings and given the right-of-way. There are existing anti social problems that occur in the evenings in the right-of-way, which include public urinating, graffiti, litter and drugs. 	<p>Not supported. The proposal is in keeping with the Objectives of the City's Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface as the proposal does not result in a detrimental impact on the residential amenity.</p> <p>With regards to the anti-social problems, this is not a valid planning objection. The City's Rangers and Community Safety Services offer a range of community safety initiatives for residents, businesses and properties.</p>
<p>Issue: Inadequate landscaping</p> <ul style="list-style-type: none"> The proposal does not have sufficient landscaping to limit the adverse impact of an office building and this should be met and in line with the Council's requirements at the very least. 	<p>Supported and Addressed. It is recommended that it be a condition of approval that the street setback area, excluding the area required for car parking and pedestrian access, is to be landscaped as the existing site survey demonstrates that the subject site comprises approximately 20 square metres of landscaping within the setback area.</p>
<p>Issue: No benefit to local community</p> <ul style="list-style-type: none"> The proposed change of use does not provide any benefit to the local community. Nor is this change of use suited to the local community. If the proposed change of use was suited and did enable a service the community needed and benefited from it would be considered more favourably. 	<p>Not supported. The proposal comprises a change of use from single house to office building, where the proposed office building is to be used for mortgage broking services. It is considered that this use provides for an increased range of services to the community whilst not having a detrimental impact on the residential amenity.</p>

Design Advisory Committee:

Referred to Design Advisory Committee: No

LEGAL/POLICY:

The following legislation and policies apply to the proposed change of use from single house to office building at No. 13 Grosvenor Road, Mount Lawley:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Norfolk Precinct Policy No. 3.1.10;
- Non-Residential/Residential Development Interface Policy No. 3.4.3;
- Shop Fronts and Front Facades to Non-Residential Buildings Policy No. 3.5.15; and
- Parking and Access Policy No. 3.7.1.

RISK MANAGEMENT IMPLICATIONS:

Should the Council refuse the application for development approval, the applicant has 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 2011-2016 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.*

Economic Development

2.1 *Progress economic development with adequate financial resources.*

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

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

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

ENVIRONMENTAL	
Issue	Comment
The proposal uses an existing building for the proposed office. The adaptive re-use of this existing space has a lower environmental impact compared to constructing a new building for this purpose. It is noted that the development comprises minimal soft landscaping; however it is recommended that it be a condition of approval to provide additional landscaping, therefore providing permeable surfaces for the site.	

SOCIAL	
Issue	Comment
The proposal provides for an increased range of services to the local community.	

ECONOMIC	
Issue	Comment
The proposed land use will provide employment opportunities.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed change of use from single house to office building comprises a gross floor area of 178.5 square metres.

It is considered that the proposed office building is in keeping with the objectives of the City's Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface as the proposal does not have a detrimental impact on the character of the existing residential buildings and the subject site functions as a buffer site to the residential zone. The proposed office, which is to be used for a mortgage broking service, is of a small scale and low intensity, with the proposed hours of operation being 9:00am to 5:00pm Monday to Friday.

The proposed external changes to the building are not detrimental to the character of the building, with the internal changes also providing for the ability of the building to be reconverted to a residence in the future.

It is also noted that there is currently no signage proposed and the proposed on-site car parking is fully compliant with the City's Policy No. 3.7.1 relating to Parking and Access.

CONCLUSION:

In view of the above, the application is supportable as it complies with the City's Policy No. 3.1.10 relating to Norfolk Precinct, the City's Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface, the City's Policy No. 3.5.15 relating to Shop Fronts and Front Facades to Non-Residential Buildings, the City's Policy No. 3.7.1 relating to Parking and Access and the City of Vincent Town Planning Scheme No. 1.

Accordingly, it is recommended the application be approved subject to standard and appropriate conditions and advice notes.

9.1.2 No. 544 (Lot 1; D/P 692) Beaufort Street, Mount Lawley – Proposed Construction of Four-Storey Mixed Use Development Comprising Eight (8) Two Bedroom Multiple Dwellings, Three (3) Offices, One (1) Eating House and Associated Car Parking (Amendment to Planning Approval)

Ward:	South	Date:	17 May 2013
Precinct:	Mount Lawley Centre; P11	File Ref:	PRO2524; 5.2013.69.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant’s Response to Design Advisory Committee Recommendations dated 30 April 2013 003 – Applicant’s Justification dated 13 March 2013 004 – Applicant’s Justification dated 26 February 2013 005 – Parking Management Plan dated October 2009		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Acting Senior Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Proud Property Group on behalf of the owner, FDS Enterprises Pty Ltd, for Proposed Construction of Four-Storey Mixed Use Development Comprising Eight (8) Two Bedroom Multiple Dwellings, Three (3) Offices, One (1) Eating House and Associated Car Parking (Amendment to Planning Approval) at No. 544 (Lot 1; D/P 692) Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 1 May 2013, subject to the following conditions and advice notes:

1. The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 550-552 Beaufort Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork;
2. Doors, windows and adjacent floor areas facing Beaufort Street and Harold Street and the entrance to the building fronting Beaufort Street, shall maintain active and interactive relationships with these streets;
3. The maximum gross floor area of the office shall be limited to 651 square metres;
4. The maximum public floor area of the eating house shall be limited to 156 square metres;
5. The on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;
6. The car park shall be used only by employees, tenants, residents and visitors directly associated with the development;

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

7.1 WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$35,000 (Option 2), for the equivalent value of one percent (1%) of the estimated total cost of the development (\$3,500,000);

7.2 in conjunction with the above chosen option;

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

and

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

OR

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

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

8. 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:

8.1 Pay a cash-in-lieu contribution of \$43,855 for the equivalent value of 12.53 car parking spaces, based on the cost of \$3,500 per bay as set out in the City's 2012/2013 Budget; OR

8.2 Lodge an appropriate assurance bond/bank guarantee of a value of \$43,855 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

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

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

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

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

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

The proposed ‘car stacking’ layout and location within the development shall be revised in accordance with the requirements, and to the satisfaction of the City’s Director Technical Services in compliance with, but not limited to, the following:

- 9.1 In addition to compliance with the provisions of AS2890.1 – ‘Off Street Parking’, the applicant is required to clearly demonstrate in a Parking Management Plan that all proposed mechanical parking devices (car stackers) comply with the following:

A	Minimum car bay width	2.9m
B	Minimum car bay opening width	2.5m
C	Minimum car bay length	5.2m
D	Minimum height clearance	2.0m (entry point only)
E	Preferred car bay weight capacity Minimum car bay weight capacity ⁽¹⁾	2,500kg 2,000kg
F	Preferred aisle (manoeuvring) width Minimum aisle (manoeuvring) width ⁽²⁾	7m 6m
G	All vehicle queuing areas being located onsite.	
H	Fully screened from the street and adjoining properties.	
I	A minimum of 20% of all onsite car bays shall be provided without requiring the use of a mechanical parking device (car stacker).	
J	Mechanical parking devices (e.g. car stackers) shall be for tenants/owners and not visitors of a development, and be maintained as operational for the life of the building, including in the event of a power failure.	
K	All pit and/or rotating mechanical parking devices (car stackers) will be required to be fitted with sliding doors/safety barriers.	

Notes:

1. *Where a car stacker weight capacity is less than 2,500kg, a s70A notification under the Transfer of Land Act will be required to advise future owners and occupiers of the limitation.*
2. *Where a car stacker proposes an aisle width less than 7m, a s70A notification under the Transfer of Land Act will be required to advise future owners that multiple manoeuvres may be required to enter and exit the car stacker bay.*

- 9.2 Variations to 9.1 may be considered where the applicant can clearly demonstrate that site constraints prohibit compliance, and the City is satisfied that the mechanical parking device (car stacker) will not be unduly impractical in use in comparison to a regular parking area and adversely affect the amenity of the locality.

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

10.1 **Construction Management Plan**

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

10.2 Section 70 A Notification under the Transfer of Land Act

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

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

10.2.2 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units or office or eating house. This is because at the time the planning application for the development was submitted to the City, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.

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

10.3 Landscaping and Reticulation Plan

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City's Parks and Property Services for assessment and approval.

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

- 10.3.1 The location and type of existing and proposed trees and plants;
- 10.3.2 All vegetation including lawns;
- 10.3.3 Areas to be irrigated or reticulated and such method;
- 10.3.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 10.3.5 Separate soft and hard landscaping plants (indicating details of materials to be used); and
- 10.3.6 A 500 litre Chinese tallow tree is to be planted within the Harold Street verge at the full cost of the developer in a location to be identified by the City's Manager, Parks and Property Services.

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

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

10.4 Schedule of External Finishes

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

10.5 Acoustic Report

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

10.6 Refuse and Recycling Management Plan

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. A Waste Management Plan shall be submitted and approved by the City's Technical Services Directorate;

10.7 Right of Way

A bond for the sum of \$3,200 is to be paid for the resurfacing of the right of way including the 1 metre widening area and drained to the existing soak wells. The bond will be held until the works are completed. A written application is required for the refund of the bond;

10.8 Footpath

A bond for the sum of \$4,500 is to be paid for the upgrading of the verge along the Harold Street frontage, the brick paving is to match that in Beaufort Street. The footpath adjacent to the development on Beaufort Street and Harold Street shall be reinstated under the direction of the City's Manager of Engineering Operations at the completion of the development at the full expense of the applicant/owner/builder;

10.9 Privacy Screening

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

10.9.1 The level 2 south-east office windows at any point within the cone of vision less than 6 metres from a neighbouring boundary; and

10.9.2 The level 3 south-east office windows at any point within the cone of vision less than 6 metres from a neighbouring boundary;

10.10 Awning

The awning along the Harold Street and Beaufort Street frontages may need to be modified to accommodate the planting of the verge tree and the existing bus shelter. The developer is to liaise with the City's Technical Services prior to the submission of the Building Permit drawings;

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

11.1 Car Parking

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

11.2 Residential Car Bays

A minimum of eight (8) and two (2) car bays shall be provided for the residents and visitors respectively. The ten (10) car parking spaces shall be clearly marked and signposted accordingly;

11.3 Visitor Bays

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

11.4 Commercial Car Parking

11.4.1 Fourteen (14) car parking spaces for the commercial component shall be clearly marked and signposted; and

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

11.5 Bicycle Parking Facilities

11.5.1 Three (3) and one (1) bicycle bays shall be provided for the residents and visitors respectively. Bicycle bays for visitors must be provided at a location convenient to the entrance, publically accessible and within the development, and bicycle bays for the residents must be located within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

11.5.2 Five (5) class one or two bicycle parking facilities and four (4) class three bicycle parking facilities shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the City prior to the installation of such facilities;

11.6 Management Plan-Vehicular Entry Gate

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

“11.7 Clothes Drying Facility

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

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

ADVICE NOTES:

1. With regard to condition 1, the owners of the subject land should obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
2. With regards to conditions 3 and 4, any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
3. Privacy screening as required by condition 10.9 is to be to a minimum of 1.6 metres above finished floor level and permanent in nature, which does not include self adhesive material. The screening may be horizontal or vertical (where appropriate), and top hinged windows may be openable no greater than 20 degrees. Alternatively if the opening(s) are amended to no longer be considered a major opening as defined in the Residential Design Codes November 2010, screening is not required;
4. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Beaufort Street, Harold Street and the south-eastern right-of-way;
5. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
6. 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; and
7. With regard to condition 9, the pit for the proposed car stacker, while shown on the submitted plans, is not dimensioned, and scales to approximately 1.5m deep. Given that the majority of structural work has been completed on the building, and if constructed as shown, then it is not of sufficient depth to accommodate the car stacker model being installed, as specified by the applicant. The depth of the pit should be not less than 2.0m. However, the applicant's consultant who will be installing the stacker, has verbally advised, that while they have not measured the depth of the pit, they have inspected it and believe to be the required depth to accommodate the stacker. It should be noted that if this is not the case the City accepts no liability for any remedial works that may be required to comply with the City's specifications.

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

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation, together with the following change(s), be adopted:

"That Clauses 4, 8, 11.2, 11.4.1 and Advice Note 2 be amended to read as follows:

- "4. The maximum public floor area of the eating house shall be limited to ~~456~~115 square metres;"
- "8. 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:
 - 8.1 Pay a cash-in-lieu contribution of ~~\$43,855~~ \$23,310 for the equivalent value of ~~42.53~~ 6.66 car parking spaces, based on the cost of \$3,500 per bay as set out in the City's 2012/2013 Budget;
OR

8.2 Lodge an appropriate assurance bond/bank guarantee of a value of ~~\$43,855~~ \$23,310 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

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

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

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

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

"11.2 Residential Car Bays

A minimum of eight (8) ~~and two (2)~~ car bays shall be provided for the residents ~~and visitors respectively~~. The ~~ten (10)~~ eight (8) car parking spaces shall be clearly marked and signposted accordingly;"

"11.4.1 ~~Fourteen (14)~~ Sixteen (16) car parking spaces for the commercial component shall be clearly marked and signposted; and"

"ADVICE NOTE:

...2. With regards to conditions 3, ~~and 4,~~ and 5 any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;"

2. That new a Clause 5 be inserted to read as follows and the remaining clauses be renumbered:

"5. The maximum gross floor area of the shop shall be limited to 37 square metres;"

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Maier

"That new a Clause 10.11 be added to read as follows:

"10.11 Design Features

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

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.2

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Proud Property Group on behalf of the owner, FDS Enterprises Pty Ltd, for Proposed Construction of Four-Storey Mixed Use Development Comprising Eight (8) Two Bedroom Multiple Dwellings, Three (3) Offices, One (1) Eating House and Associated Car Parking (Amendment to Planning Approval) at No. 544 (Lot 1; D/P 692) Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 1 May 2013, subject to the following conditions and advice notes:

1. The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 550-552 Beaufort Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork;
2. Doors, windows and adjacent floor areas facing Beaufort Street and Harold Street and the entrance to the building fronting Beaufort Street, shall maintain active and interactive relationships with these streets;
3. The maximum gross floor area of the office shall be limited to 651 square metres;
4. The maximum public floor area of the eating house shall be limited to 115 square metres;
5. The maximum gross floor area of the shop shall be limited to 37 square metres;
6. The on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;
7. The car park shall be used only by employees, tenants, residents and visitors directly associated with the development;
8. The owner(s), or the applicant on behalf of the owner(s), shall comply with the City's Policy No. 3.5.13 relating to Percent for Public Art and the Percent for Public Art Guidelines for Developers, including:
 - 8.1 **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', elect to either obtain approval from the City for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$35,000 (Option 2), for the equivalent value of one percent (1%) of the estimated total cost of the development (\$3,500,000);**
 - 8.2 in conjunction with the above chosen option;
 - 8.2.1 **Option 1 – prior to the commencement of the development, obtain approval for the Public Art Project and associated Artist;**
and
Prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;
OR
 - 8.2.2 **Option 2 – prior to the commencement of the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount.**

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

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

9.1 **Pay a cash-in-lieu contribution of \$23,310 for the equivalent value of 6.66 car parking spaces, based on the cost of \$3,500 per bay as set out in the City's 2012/2013 Budget; OR**

9.2 **Lodge an appropriate assurance bond/bank guarantee of a value of \$23,310 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:**

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

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

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

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

10. **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:**

The proposed 'car stacking' layout and location within the development shall be revised in accordance with the requirements, and to the satisfaction of the City's Director Technical Services in compliance with, but not limited to, the following:

10.1 **In addition to compliance with the provisions of AS2890.1 – 'Off Street Parking', the applicant is required to clearly demonstrate in a Parking Management Plan that all proposed mechanical parking devices (car stackers) comply with the following:**

A	Minimum car bay width	2.9m
B	Minimum car bay opening width	2.5m
C	Minimum car bay length	5.2m
D	Minimum height clearance	2.0m (entry point only)
E	Preferred car bay weight capacity Minimum car bay weight capacity⁽¹⁾	2,500kg 2,000kg
F	Preferred aisle (manoeuvring) width Minimum aisle (manoeuvring) width⁽²⁾	7m 6m
G	All vehicle queuing areas being located onsite.	
H	Fully screened from the street and adjoining properties.	
I	A minimum of 20% of all onsite car bays shall be provided without requiring the use of a mechanical parking device (car stacker).	
J	Mechanical parking devices (e.g. car stackers) shall be for tenants/owners and not visitors of a development, and be maintained as operational for the life of the building, including in the event of a power failure.	
K	All pit and/or rotating mechanical parking devices (car stackers) will be required to be fitted with sliding doors/safety barriers.	

Notes:

1. *Where a car stacker weight capacity is less than 2,500kg, a s70A notification under the Transfer of Land Act will be required to advise future owners and occupiers of the limitation.*
2. *Where a car stacker proposes an aisle width less than 7m, a s70A notification under the Transfer of Land Act will be required to advise future owners that multiple manoeuvres may be required to enter and exit the car stacker bay.*

10.2 Variations to 9.1 may be considered where the applicant can clearly demonstrate that site constraints prohibit compliance, and the City is satisfied that the mechanical parking device (car stacker) will not be unduly impractical in use in comparison to a regular parking area and adversely affect the amenity of the locality.

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

11.1 Construction Management Plan

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

11.2 Section 70 A Notification under the Transfer of Land Act

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

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

11.2.2 The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units or office or eating house. This is because at the time the planning application for the development was submitted to the City, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.

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

11.3 **Landscaping and Reticulation Plan**

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City's Parks and Property Services for assessment and approval.

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

- 11.3.1 The location and type of existing and proposed trees and plants;
- 11.3.2 All vegetation including lawns;
- 11.3.3 Areas to be irrigated or reticulated and such method;
- 11.3.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 11.3.5 Separate soft and hard landscaping plants (indicating details of materials to be used); and
- 11.3.6 A 500 litre Chinese tallow tree is to be planted within the Harold Street verge at the full cost of the developer in a location to be identified by the City's Manager, Parks and Property Services.

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

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

11.4 **Schedule of External Finishes**

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

11.5 **Acoustic Report**

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

11.6 **Refuse and Recycling Management Plan**

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. A Waste Management Plan shall be submitted and approved by the City's Technical Services Directorate;

11.7 **Right of Way**

A bond for the sum of \$3,200 is to be paid for the resurfacing of the right of way including the 1 metre widening area and drained to the existing soak wells. The bond will be held until the works are completed. A written application is required for the refund of the bond;

11.8 Footpath

A bond for the sum of \$4,500 is to be paid for the upgrading of the verge along the Harold Street frontage, the brick paving is to match that in Beaufort Street. The footpath adjacent to the development on Beaufort Street and Harold Street shall be reinstated under the direction of the City's Manager of Engineering Operations at the completion of the development at the full expense of the applicant/owner/builder;

11.9 Privacy Screening

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

10.9.1 The level 2 south-east office windows at any point within the cone of vision less than 6 metres from a neighbouring boundary; and

10.9.2 The level 3 south-east office windows at any point within the cone of vision less than 6 metres from a neighbouring boundary;

11.10 Awning

The awning along the Harold Street and Beaufort Street frontages may need to be modified to accommodate the planting of the verge tree and the existing bus shelter. The developer is to liaise with the City's Technical Services prior to the submission of the Building Permit drawings;

11.11 Design Features

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

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

12.1 Car Parking

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

12.2 Residential Car Bays

A minimum of eight (8) car bays shall be provided for the residents. The eight (8) car parking spaces shall be clearly marked and signposted accordingly;

12.3 Visitor Bays

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

12.4 Commercial Car Parking

12.4.1 Sixteen (16) car parking spaces for the commercial component shall be clearly marked and signposted; and

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

12.5 Bicycle Parking Facilities

12.5.1 Three (3) and one (1) bicycle bays shall be provided for the residents and visitors respectively. Bicycle bays for visitors must be provided at a location convenient to the entrance, publically accessible and within the development, and bicycle bays for the residents must be located within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

12.5.2 Five (5) class one or two bicycle parking facilities and four (4) class three bicycle parking facilities shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the City prior to the installation of such facilities;

12.6 Management Plan-Vehicular Entry Gate

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

12.7 Clothes Drying Facility

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

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

ADVICE NOTES:

- 1.** With regard to condition 1, the owners of the subject land should obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
- 2.** With regards to conditions 3, 4, and 5 any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
- 3.** Privacy screening as required by condition 10.9 is to be to a minimum of 1.6 metres above finished floor level and permanent in nature, which does not include self adhesive material. The screening may be horizontal or vertical (where appropriate), and top hinged windows may be openable no greater than 20 degrees. Alternatively if the opening(s) are amended to no longer be considered a major opening as defined in the Residential Design Codes November 2010, screening is not required;
- 4.** All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Beaufort Street, Harold Street and the south-eastern right-of-way;

5. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
6. 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; and
7. With regard to condition 9, the pit for the proposed car stacker, while shown on the submitted plans, is not dimensioned, and scales to approximately 1.5m deep. Given that the majority of structural work has been completed on the building, and if constructed as shown, then it is not of sufficient depth to accommodate the car stacker model being installed, as specified by the applicant. The depth of the pit should be not less than 2.0m. However, the applicant's consultant who will be installing the stacker, has verbally advised, that while they have not measured the depth of the pit, they have inspected it and believe to be the required depth to accommodate the stacker. It should be noted that if this is not the case the City accepts no liability for any remedial works that may be required to comply with the City's specifications.

ADDITIONAL INFORMATION:

1. The applicant has advised they are supportive of the reduction of the eating house and the introduction of a shop and have provided the abovementioned areas.
2. The parking calculations do not include 2 dedicated visitor bays for the residential component, as there are commercial bays available for the visitors of the residential component outside normal business hours.

Residential Car Parking	
Residents car parking requirement <ul style="list-style-type: none"> • Small (<75 square metres or 1 bedroom) 0.75 spaces per dwelling Nil • Medium (75 square metres – 110 square metres) 1 space per dwelling 8 dwellings = 8 car bays • Large (>110 square metres) 1.25 spaces per dwelling Nil Total car bays required = 8 car bays	= 8 car bays
Visitors car parking requirement <ul style="list-style-type: none"> • Visitors 0.25 spaces per dwelling 8 dwellings = 2 car bays Total car bays required = 2 car bays	= Nil

Non-Residential Car Parking	
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> • Office 1 space per 50 square metres of gross floor area Gross Floor Area: 651 square metres = 13.02 car bays • Restaurant 1 space per 4.5 square metres of public area 	= 41 car bays

Non-Residential Car Parking	
Public Floor Area: 115 square metres = 25.56 car bays <ul style="list-style-type: none"> • Retail Premises – Shop 1 space per 15 square metres of gross floor area Public Floor Area: 37 square metres = 2.47 car bays 	
Total car bays required = 41.05 car bays	
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 800 metres of a rail station) • 0.85 (within 400 metres of a bus stop/station) • 0.85 (within 400 metres of a public car park with in excess of a total of 75 car parking spaces) • 0.90 (provides 'end-of-trip' facilities) 	(0.5527) = 22.66 car bays
Minus the car parking provided on-site	16 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant shortfall	6.66 car bays

Car Parking	
Residential (not including visitors): 8 car bays Non-Residential: 22.66 car bays	
Total car bays required = 30.66	= 30.66 car bays
Minus the car parking provided on-site	24 car bays
Resultant shortfall	6.66 car bays

In accordance with the Acceptable Development provisions of Clause 7.3.3 “On-Site parking Provision” of the R-Codes, the proposal requires eight (8) car bays for the residents and two (2) car bays for the visitors. As a total of twenty-four (24) car bays have been provided, this result in fourteen (14) bays to be allocated for the non-residential component. As per the car parking calculation there will be a shortfall of 12.53 car bays for the non-residential component. In accordance with the City’s policy No. 3.7.1 relating to Parking and Access, the City is able to consider the payment of cash-in-lieu for the proposed non-residential car parking shortfall.

In the instance that eighteen (18) bays are provided for the non-residential component and six (6) bays are provided for the residential component of the development, this would result in a shortfall of four (4) bays to the residential component. In this instance the Performance Criteria of Clause 7.3.3 “On-Site parking Provision” of the R-Codes is to be considered, which states the following:

“Adequate car and bicycle parking provided on-site in accordance with projected need related to:

- *The type, number and size of dwellings;*
- *The availability of on-street and other offsite parking; and*
- *The location of the proposed development in relation to public transport and other facilities.*

In mixed use development, in addition to the above:

- *Parking areas associated with the retail/commercial uses are clearly separated and delineated from residential parking.”*

It should be noted that the proposal comprises eight (8) dwellings, therefore resulting in two (2) of the dwellings being provided with no parking spaces and in addition no visitor bays are provided for the residential component. It is the City’s practice to ensure that compliant car parking is provided for the residential component in accordance with the Acceptable Development provisions of the R-Codes. Further to this, it is also noted that the payment of cash-in-lieu does not apply to the residential component of the development.

PURPOSE OF REPORT:

The application is referred to Council for determination given the proposal relates to an amendment to a four-storey building that was previously approved by the Council.

BACKGROUND:**History:**

Date	Comment
24 March 2009	The Council at its Ordinary Meeting conditionally approved a development application for proposed demolition of existing commercial building and construction of four-storey plus basement mixed use development comprising three (3) multiple dwellings, offices, eating house and associated basement car parking.
3 February 2010	A development application for proposed four-storey plus basement mixed use development comprising three (3) multiple dwellings, offices and eating house – amended planning approval was conditionally approved under delegated authority.
10 May 2011	The Council at its Ordinary Meeting conditionally approved a development application for proposed construction of a four-storey mixed use development comprising six (6) multiple dwellings, offices, eating house and associated basement car parking (amendment to planning approval).

Previous Reports to Council:

A development application for proposed demolition of existing commercial building and construction of four-storey plus basement mixed use development comprising three (3) multiple dwellings, offices, eating house and associated basement car parking was presented to the Council at its Ordinary Meeting held on 24 March 2009; whereby the Council resolved to conditionally approved the development application.

On 23 December 2009, the City received a further development application which proposed the addition of a car stacking system into the basement of the four-storey mixed use development approved by the Council at its Ordinary Meeting held on 24 March 2009, which was subsequently approved under delegated authority on 3 February 2010.

On 16 February 2011, the City received a further development application for proposed construction of a four-storey mixed use development comprising six (6) multiple dwellings, offices, eating house and associated basement car parking (amendment to planning approval). The development application proposed the following amendments to the previous approval dated 3 February 2010:

1. Increase in the number of dwellings from three (3) multiple dwellings (comprising one (1) two bedroom multiple dwelling and two (2) three bedroom multiple dwellings) to six (6) two bedroom multiple dwellings;
2. The gross floor area of the office decreased from 691 square metres to 651 square metres;
3. The public floor area of the eating house increased from 93 square metres to 156 square metres; and
4. The fourth floor setback to the south-eastern right-of-way has reduced from 4 metres to 1 metre.

The proposal was presented to the Council at its Ordinary Meeting held on 10 May 2011, whereby is resolved to conditionally approved the development application.

The Minutes of Item 9.1.2 from the Ordinary Meeting of Council held on 10 May 2011 relating to this report are available on the City's website at the following link:

<http://www.vincent.wa.gov.au/files/dd83b401-448e-4a52-b2b4-9ef300b705e9/20110510.pdf>

DETAILS:

The application is for the proposed construction of a four-storey mixed use development comprising eight (8) two bedroom multiple dwellings, three (3) offices, one (1) eating house and associated car parking (amendment to planning approval) at No. 544 Beaufort Street, Mount Lawley.

The proposal is an amendment to the development application that was conditionally approved by the Council at its Ordinary Meeting held on 10 May 2011, for proposed construction of a four-storey mixed use development comprising six (6) multiple dwellings, offices, eating house and associated basement car parking (amendment to planning approval).

The development application proposes the following amendments to the previous approval:

1. Increase in the number of dwellings from six (6) two bedroom multiple dwellings to eight (8) two bedroom multiple dwellings; and
2. External changes to the façade.

Landowner:	FDS Enterprises Pty Ltd
Applicant:	Proud Property Group
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Commercial
Existing Land Use:	Multiple Dwelling, Office and Eating House
Use Class:	Multiple Dwelling, Office and Eating House
Use Classification:	"AA", "P" and "P"
Lot Area:	594 square metres
Right of Way:	South-eastern side, 3 metres wide, sealed.

ASSESSMENT:

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

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio			✓
Streetscape	✓		
Roof Forms	N/A		
Front Fence	N/A		
Front Setback	N/A		
Secondary Street Setback	✓		
Building Setbacks	N/A		
Boundary Wall	N/A		
Building Height	N/A		
Building Storeys	N/A		
Open Space	N/A		
Bicycles			✓
Access & Parking			✓
Privacy	✓		
Solar Access	✓		
Site Works	N/A		
Essential Facilities	✓		
Surveillance	✓		
Landscaping	N/A		

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

Issue/Design Element:	Plot Ratio
Requirement:	Residential Design Codes Clause 7.1.1 A1 Plot Ratio: 1.0 (594 square metres)
Applicants Proposal:	Plot Ratio: 1.24 (739.1 square metres)
Performance Criteria:	Residential Design Codes Clause 7.1.1 P1 Development of the building is at a bulk and scale indicated in the local planning scheme and is consistent with the existing or future desired built form of the locality.
Applicant justification summary:	<p><i>"This amended proposal uses the existing floor slab area which created 3 apartments per floor to create 4 apartments. The more practical use of the room layout/sizes and reduction of the terraces on the south east –rear has resulted in the 4 smaller more functional apartments. The previously approved proposal has the apartment areas with a plot ratio of around 700 square metres while the amended proposal is 739.1 square metres. As part of the redesign the acoustic and energy efficiency requirements have been improved.</i></p> <p><i>This amended proposal creates the 8 apartments within the previous volume-space of the 6 apartments. There is no increase to the bulk and scale of the project. Most external forms and setbacks remain the same. The bulk of the residential levels is reduced by being setback from the street with large balconies, glass screens and glass balustrades.</i></p>
	<p><i>As required by the Development Standards of the Precinct Policy the amended proposal:</i></p> <ul style="list-style-type: none"> <i>(a) Has a permeable interface to the street.</i> <i>(b) Is articulated into elements that exhibit a strong city like character.</i> <i>(c) Have a consistency in style, form rhythm and articulation.</i> <i>(d) Has fined grained architectural form to the side walk entry area with quality stone and timber finishing.</i> <i>(e) Maximum glazing to the street at ground floor.</i> <i>(f) Encourages cultural relevance using the integration of public art with the window screen on levels 3-5.</i> <i>(g) The building form-entry emphasises the corner location.</i> <p><i>The previous proposals and this amended application are designed to conform with the Town Planning Scheme Mount Lawley Centre Precinct Policy."</i></p>
Officer technical comment:	<p>The proposal four-storey mixed use development complies with the Performance Criteria in this instance as the proposed building is at a bulk and scale which is in keeping with both the existing and desired future built form of the locality.</p> <p>The proposal comprises a plot ratio which is 0.24 (145.1 square metres) greater than permitted under the Acceptable Development provision of the R-Codes; however it is noted that the development application is a proposed amendment to an existing approval where the</p>

Issue/Design Element:	Plot Ratio
	<p>building has been partially constructed.</p> <p>When taking the building height and setbacks into consideration, it is evident that the built form is consistent with the desired outcome for the locality. The proposed amendment does not result in any further variations to the building height or setbacks that have been approved by the Council at its Ordinary Meeting held on 10 May 2011.</p>
	<p>Further to the above, it is noted that the proposed building envelope also maintains the amenity of the adjoining properties with regards to overshadowing, solar access and ventilation.</p> <p>In light of the above, the proposed amendment to the four-storey mixed use development is consistent with the existing and desired future built form of the locality.</p>

Residential Car Parking	
<p>Residents car parking requirement</p> <ul style="list-style-type: none"> • Small (<75 square metres or 1 bedroom) 0.75 spaces per dwelling Nil • Medium (75 square metres – 110 square metres) 1 space per dwelling 8 dwellings = 8 car bays • Large (>110 square metres) 1.25 spaces per dwelling Nil <p>Total car bays required = 8 car bays</p>	<p>= 8 car bays</p>
<p>Visitors car parking requirement</p> <ul style="list-style-type: none"> • Visitors 0.25 spaces per dwelling 8 dwellings = 2 car bays <p>Total car bays required = 2 car bays</p>	<p>= 2 car bays</p>

Non-Residential Car Parking	
<p>Car parking requirement (nearest whole number)</p> <ul style="list-style-type: none"> • Office 1 space per 50 square metres of gross floor area Gross Floor Area: 651 square metres = 13.02 car bays • Restaurant 1 space per 4.5 square metres of public area Public Floor Area: 156 square metres = 34.67 car bays <p>Total car bays required = 47.69 car bays</p>	<p>= 48 car bays</p>
<p>Apply the adjustment factors.</p> <ul style="list-style-type: none"> • 0.85 (within 800 metres of a rail station) • 0.85 (within 400 metres of a bus stop/station) • 0.85 (within 400 metres of a public car park with in excess of a total of 75 car parking spaces) 	<p>(0.5527)</p>

Non-Residential Car Parking	
• 0.90 (provides 'end-of-trip' facilities)	= 26.53 car bays
Minus the car parking provided on-site	14 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant shortfall	12.53 car bays

Car Parking	
Residential (including visitors): 10 car bays Non-Residential: 26.53 car bays	
Total car bays required = 36.53	= 36.53 car bays
Minus the car parking provided on-site	24 car bays
Resultant shortfall	12.53 car bays

The development application presented to the Council at its Ordinary Meeting held on 24 March 2009 comprised a shortfall of 6.06 car bays which was approved subject to the payment of cash-in-lieu.

The following development application comprising an increase number of multiple dwellings and changes to the commercial floor areas was presented to the Council at its Ordinary Meeting held on 10 May 2011. The proposed amendment comprised a shortfall of 8.53 car bays, being a further shortfall of 2.47 car bays, which was approved subject to the payment of cash-in-lieu.

It is noted that the previous report states the following with regards to car parking assessment:

"Given the development is under construction, the parking was assessed as per the previous R- Codes (2008), rather than the 2010 R-Codes, so as to be consistent with the two last assessments carried out.

In accordance with the Residential Design Codes (2008), requirements for mixed-use development, on-site car parking requirements for multiple dwellings may be reduced to one bay per dwelling, where on-site parking required for other users is available outside normal business hours. A total of 24 car bays have been provided for the proposed development. For the residential component, 6 car bays are to be provided. The balance of car bays available for the commercial component in this instance, is 18 car bays."

The current development application does not result in any proposed changes to the commercial component of the development; therefore there is no change in the required number of commercial car bays. As the proposal comprises an increase in the number of multiple dwellings, this results in a greater number of car bays being required for the residential component.

In accordance with the Acceptable Development provision of Clause 7.3.3 "On-Site Parking Provision" of the R-Codes eight (8) car bays are required for residents and two (2) car bays are required for visitors; therefore requiring a total of 36.53 car bays for both the residential and commercial component. The development provides 24 car bays resulting in a shortfall of 12.53 car bays, being a further shortfall of 4 car bays.

In accordance with the City's Policy No. 3.7.1 relating to Parking and Access, the proposed shortfall of 12.53 car bays can be considered for the commercial component.

Clause 11 "Cash-in-lieu" of the City's Policy No. 3.7.1 states:

"This policy provision is not to be seen to be replacing the developer's responsibility to provide on-site parking, but rather as a mechanism to enable otherwise desirable developments, for which the full amount of parking cannot be provided on site, to proceed. The provision of an adequate supply of parking is the intent of this provision and, as such, the following matters apply:

- i) *cash-in-lieu provisions are only to be permitted in localities where the City already provides off-street public car parking which has spare capacity, or the City is proposing to provide or is able to provide a public car park (including enhanced or additional on-street car parking where appropriate) in the near future, within 400 metres of the subject development;*
- ii) *cash-in-lieu contributions may comprise all or part of the shortfall in onsite parking proposed for a development;”*

It is considered in this instance, that proposed 12.53 car parking shortfall to the commercial component does not replace the developer’s responsibility to provide car parking as there is currently fourteen (14) car bays provided on-site. As stated in Clause 11 (above) cash-in-lieu is to be considered where the full amount of car parking required cannot be provided for a development; as the proposal comprises a portion of the car parking bays it is in keeping with the Clause 11 of the City’s Policy No. 3.7.1 relating to Parking and Access.

Further to the above, Clause 22 “Minimum Parking Requirements” of the City’s Policy No. 3.7.1 states:

“In determining whether the proposed development should be refused on car parking grounds, the following percentages should be used as a guide:

- ii) *If the total requirement (after adjustment factors have been taken into account) is between 11 - 40 bays, a minimum of 15 per cent of the required bays is to be provided.”*

As the commercial component of the development requires 26.53 car bays, Clause 22 ii) of the City’s Policy No. 3.7.1 is applicable. In accordance with Clause 22 ii) a minimum of 4 car bays are to be provided on-site for the commercial component for cash-in-lieu to be considered. As the development comprises 24 car bays in total, 14 car bays are able to be provided for the commercial component (being 52.77 percent of the required bays) with the shortfall being 12.53 car bays; therefore the proposed variation is able to be supported in this instance subject to the payment of cash-in-lieu.

Residential Bicycle Parking
<p>Residential Design Codes Clause 7.3.3 A3.2 1 bicycle space to each 3 dwellings for residents; and 1 bicycle space to each 10 dwellings for visitors, and designed in accordance with AS2890.3.</p> <p><u>Required</u> Residents: 2.67 spaces = 3 spaces Visitors: 0.8 spaces = 1 space</p>

Non-Residential Bicycle Parking
<p>Office (651 square metres):</p> <ul style="list-style-type: none"> • 1 space per 200 square metres gross floor area (class 1 or 2) = 3.25 spaces • 1 space per 750 square metres over 1000 square metres (class 3) = Nil <p>Restaurant (156 square metres):</p> <ul style="list-style-type: none"> • 1 space per 100 square metres public area (class 1 or 2) = 1.56 spaces • 2 spaces plus 1 space per 100 square metres of public area (class 3) = 3.56 spaces <p><u>Required</u> Class 1 or 2: 4.81 spaces = 5 spaces Class 3: 3.56 spaces = 4 space</p>

Bicycle Parking
<p>Residential (including visitors): 4 spaces Non-Residential (class 1 or 2 and class 3): 9 spaces</p>

Bicycle Parking	
<u>Total Spaces Required</u>	13 spaces
<u>Total Spaces Provided</u>	11 spaces

Bicycle parking for the multiple dwellings is required to be provided in accordance with the Acceptable Development provisions of Clause 7.3.3 "On-Site Parking Provision" of the R-Codes; with the bicycle parking for the offices and eating house being required to be provided in accordance with the City's Policy No. 3.7.1 relating to Parking and Access.

It is recommended that be a condition of approval that bicycle parking is provided in accordance with the Acceptable Development provisions of the R-Codes and the City's Policy No. 3.7.1 relating to Parking and Access.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
--------------------------	----	-------------------------------------	-----

Comments Period:	19 March 2013 to 10 April 2013
Comments Received:	One (1) objection

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Car Parking</p> <ul style="list-style-type: none"> Yet another proposed parking shortfall in the area. This one at almost 50% of the required number of bays, by the time you include the already allowed shortfall. Let me guess, a cash in lieu payment will be proposed, which will be consumed by artwork budget blowouts? 	<p>Not Supported. The proposal complies with the City's Policy No. 3.7.1 relating to Parking and Access. The proposal provides 14 car bays for the non-residential component, with the proposed shortfall being 12.53; therefore complying with Clause 22 "Minimum Parking Requirements" of the City's Policy No. 3.7.1 relating to Parking and Access.</p> <p>This proposal is for an additional four (4) car bay shortfall due to the residential apartments. It is noted that residential permits will not be issued and purchasers will be aware of both the parking availability and that no permits are available.</p>

Design Advisory Committee:

Referred to Design Advisory Committee: 3 April 2013

Summary of Design Advisory Committee Comments:

Recommendation:

1. *Proposal is supportable where outlined considerations are incorporated into plan.*

Mandatory:

1. *Address transition to single storey residential and step back rear residential floors to reduce impact on adjoining residential property (a minimum of the currently approved setback).*
2. *Introduce natural light and ventilation to lobby (vertical).*
3. *Provide sun-shading to the West facing office windows.*

Design Considerations:

1. *Consider redesigning store locations and convoluted entry halls in dwellings.*

Applicant's Response to Design Advisory Committee Comments:

1. *Scale, bulk and setbacks*
 - 1.1 *We have setback the balconies and roofs on levels 4 and 5 to improve the eastern Harold Street corner and decrease the scale of the eastern facade. These setbacks also allow more light to pass into the adjoining residential property and are at a minimal detriment to the practicality of the apartment layout.*
 - 1.2 *The mixture of glass and light coloured materials in contrast with the new podium materiality helps to shift the emphasis away from the apartment levels.*
 - 1.3 *A significant number of permutations were attempted to reduce the impact of bulk and scale on the adjoining properties. The proposal as shown in the revised Harold Street view is the best solution considering all floor slabs below level 5 have already been constructed.*
2. *Podium differentiation*
 - 2.1 *The change in the level 2/3 podium material to a weathered metal finish and a continuation of the line system creates a break in the facade and pulls attention away from the apartment level.*
 - 2.2 *Windows have been significantly recessed and vertical blades have been incorporated to provide sun shading.*
3. *Sun Shading Treatment*
 - 3.1 *Vertical blades have been added to the glazing on both office levels 2/3.*
 - 3.2 *The shading of the western facade will be supported with electronically controlled retractable blinds and tinted glass.*
4. *Natural light and apartment entries.*
 - 4.1 *The lobby in the residential levels 4/5 has been enlarged to accommodate a skylight and void. This includes some revisions to the entries and stores of the rear units. This allows the creation of an external store for Units 3 and 7.*
 - 4.2 *Adjustments were made to the kitchen and apartment corridors in units 2, 4, 6 and 8 which allow an improved line of sight between the entries and living areas. This makes the corridors more open and decreases the tunnel like effect within them.*

The applicant has addressed the Design Advisory Committees comments.

LEGAL/POLICY:

The following legislation and policies apply to the proposed construction of four-storey mixed use development comprising eight (8) two bedroom multiple dwellings, three (3) offices, one (1) eating house and associated car parking (amendment) at No. 544 Beaufort Street, Mount Lawley:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes of Western Australia 2010;
- Mount Lawley Centre Precinct Policy No. 3.1.11;
- Residential Design Elements Policy No. 3.2.1;
- Shopfronts and Front Facades to Non-Residential Buildings Policy No. 3.5.15;
- Sound Attenuation Policy No. 3.5.21;
- Construction Management Plans Policy No. 3.5.23; and
- Parking and Access Policy No. 3.7.1.

RISK MANAGEMENT IMPLICATIONS:

Should the Council refuse the application for development approval, the applicant has 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 2011-2016 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.*

Economic Development

2.1 *Progress economic development with adequate financial resources.*

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

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

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

ENVIRONMENTAL	
Issue	Comment
The design of the building provides for adequate light and ventilation. The proposal has been amended to incorporate sun shading treatments through the use of glazing, vertical blades and shading; along with the addition of a skylight to the lobby of the apartments to provide natural light.	
The development consists predominantly of a non-permeable surface. As there are limited permeable surfaces, stormwater management is important.	

SOCIAL	
Issue	Comment
The proposal provides for access to a wider range of services to the local community and an increase in housing diversity within the City.	

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Plot ratio and building height contribute to the bulk and scale of a development; however in this instance, the subject proposal is not considered to have an undue impact on the amenity of the locality as it is within the previously approved building height and the proposed plot ratio complies with the Performance Criteria of Clause 7.1.1 "Building Size" of the R-Codes as it is in keeping with the existing and desired future development of the locality.

The proposed car parking complies with the Acceptable Development provisions of the R-Codes for the residential component and the City's Policy No. 3.7.1 relating to Parking and Access for the commercial component, subject to the payment of cash-in-lieu, as there is an adequate provision of car parking provided on-site for the proposed development.

CONCLUSION:

In view of the above, the application is supportable as it complies with the City of Vincent Town Planning Scheme No. 1, the City's Policy No. 3.1.11 relating to Mount Lawley Centre Precinct, the City's Policy No. 3.7.1 relating to Parking and Access and the Acceptable Development and Performance Criteria provisions of the Residential Design Codes. Accordingly, it is recommended the application be approved subject to standard and appropriate conditions and advice notes.

9.4.1 Festivals Programme 2013/2014

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	CMS0110
Attachments:	CONFIDENTIAL 001 – Festival Submission – Mt Hawthorn Festival CONFIDENTIAL 002 – Festival Submission – Pride Festival 2013 CONFIDENTIAL 003 – Festival Submission – Electric Relaxation CONFIDENTIAL 004 – Proposal – Evaluation Report: Beaufort Street Festival 2013 CONFIDENTIAL 005 – Proposal - Evaluation Report – Light Up Leederville Carnival CONFIDENTIAL 006 – Proposal - Evaluation Report – Hyde Park Fair CONFIDENTIAL 007 – Proposal – Evaluation Report: St Patrick’s Day CONFIDENTIAL 008 – Festival Submission – Angove Street CONFIDENTIAL 009 – Festival Submission – Revelation Film Festival CONFIDENTIAL 010– Festival Submission – Festival D’Femme		
Tabled Items:	Nil		
Reporting Officers:	Y Coyne, Coordinator Arts and Creativity J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

CORRECTED OFFICER RECOMMENDATION:

“That the Council;

1. **APPROVES** the following festival events funding as part of the City of Vincent Festivals programme for 2013/2014:

Event	Indicative Date	Amount Allocated
Mt Hawthorn Festival	Early September 2013	\$45,000
Vincent Fashion Event	5 September 2013	\$20,000
Pride Festival 2013	November 2013	\$15,000
Beaufort Street Festival	16 November 2013	\$75,000
Electric Relaxation	30 November 2013	\$5,500
Light Up Leederville	November - December 2013	\$60,500 <u>\$55,000</u>
Hyde Park Fair	2 & 3 March 2014	\$27,500
St Patrick’s Day Parade	15 March 2014	\$20,000
Angove Street Festival	April 2014	\$45,000
Revelation Film Festival 2014	July 2014	\$10,000
Festival D’Femme	8 March 2014	15,000
WA Youth Jazz Orchestra	Date to be advised	\$6,500
EID/End of Hajj	August/October 2013	\$7,500
Hawkers Market	Date to be advised	\$9,400
Harmony Week Event	March 2014	\$15,000
TOTAL		\$376,900 <u>\$341,500</u>

2. **AUTHORISES** the following festivals to take place in 2013/2014:
 - 2.1 the Mt Hawthorn Business and Community Group to hold a street festival at a date to be confirmed;
 - 2.2 a fashion event organised by City Officers showcasing local emerging fashion designers and independent boutique stores on Thursday 5 September 2013 in Leederville;
 - 2.3 contribute to Pride WA parade and Pride Family Day to take place in Hyde Park in February 2014;

- 2.4 the Beaufort Street Network Inc. to organise the “Beaufort Street Festival” to be held on 16 November 2013, from 12noon to 10pm with Festival Bars until midnight;
 - ~~2.5 Think Twice to run Electric Relaxation music festival at Hyde Park to take place in November 2013;~~
 - ~~2.5 EID/End of Hajj to take place in Birdwood Square in October 2013;~~
 - 2.6 Leederville Connect to organise the second Light Up Leederville Carnival at a date to be confirmed between November and December 2013;
 - 2.7 the WAYJO Big Band Festival to be an addition to the City of Vincent Summer Concert series in January/February 2014;
 - 2.8 the North Perth Rotary Club to organise the Hyde Park Fair at Hyde Park on 2 and 3 March 2014;
 - 2.9 Irish Families in Perth to organise the St Patrick’s Day Parade and Family Fun Day on 15 March 2014 in Leederville;
 - 2.10 the North Perth Business and Residents Group to organise the Angove Street Festival on 6 April 2014, from 10am to 5pm;
 - 2.11 the Revelation Film Festival to take place in July 2014; and
 - ~~2.12 HMS Pop Up Productions to organise Festival D’Femme on 8 March 2014, at a time and place to be determined; and~~
3. The festival events detailed in clause 2 above shall be subject to the following conditions:
- 3.1 the sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;
 - 3.2 ‘event fees’ for the festivals shall be waived;
 - 3.3 a bond of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;
 - 3.4 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;
 - 3.5 the event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;
 - 3.6 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;
 - 3.7 the activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;
 - 3.8 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;
 - 3.9 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

- 3.10 full compliance with the City's Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy 1.1.8 'Festivals' and Policy 3.8.3 'Concerts and Events';

to the satisfaction of the Chief Executive Officer.

4. RECEIVES a further report on the following events for consideration of funding approval subject to meeting the criteria of the City's Policy 1.1.8 Festivals;

<u>Event</u>	<u>Indicative Date</u>	<u>Amount Allocated</u>
<u>Electric Relaxation</u>	<u>30 November 2013</u>	<u>\$5,500</u>
<u>Festival D'Femme</u>	<u>8 March 2014</u>	<u>15,000</u>
<u>Hawkers Market</u>	<u>Date to be advised</u>	<u>\$9,400</u>

“

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

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Maier

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

5. Details of the Mt Hawthorn Festival be reported back to the Council prior to the Festival.”

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.4.1

That the Council;

1. APPROVES the following festival events funding as part of the City of Vincent Festivals programme for 2013/2014:

<u>Event</u>	<u>Indicative Date</u>	<u>Amount Allocated</u>
Mt Hawthorn Festival	Early September 2013	\$45,000
Vincent Fashion Event	5 September 2013	\$20,000
Pride Festival 2013	November 2013	\$15,000
Beaufort Street Festival	16 November 2013	\$75,000
Light Up Leederville	November - December 2013	\$55,000
Hyde Park Fair	2 & 3 March 2014	\$27,500
St Patrick's Day Parade	15 March 2014	\$20,000
Angove Street Festival	April 2014	\$45,000
Revelation Film Festival 2014	July 2014	\$10,000
WA Youth Jazz Orchestra	Date to be advised	\$6,500
EID/End of Hajj	October 2013	\$7,500
Harmony Event	March 2014	\$15,000
	TOTAL	\$341,500

2. **AUTHORISES the following festivals to take place in 2013/2014:**
 - 2.1 the Mt Hawthorn Business and Community Group to hold a street festival at a date to be confirmed;
 - 2.2 a fashion event organised by City Officers showcasing local emerging fashion designers and independent boutique stores on Thursday 5 September 2013 in Leederville;
 - 2.3 contribute to Pride WA parade and Pride Family Day to take place in Hyde Park in February 2014;
 - 2.4 the Beaufort Street Network Inc. to organise the “Beaufort Street Festival” to be held on 16 November 2013, from 12noon to 10pm with Festival Bars until midnight;
 - 2.5 EID/End of Hajj to take place in Birdwood Square in October 2013;
 - 2.6 Leederville Connect to organise the second Light Up Leederville Carnival at a date to be confirmed between November and December 2013;
 - 2.7 the WAYJO Big Band Festival to be an addition to the City of Vincent Summer Concert series in January/February 2014;
 - 2.8 the North Perth Rotary Club to organise the Hyde Park Fair at Hyde Park on 2 and 3 March 2014;
 - 2.9 Irish Families in Perth to organise the St Patrick’s Day Parade and Family Fun Day on 15 March 2014 in Leederville;
 - 2.10 the North Perth Business and Residents Group to organise the Angove Street Festival on 6 April 2014, from 10am to 5pm;
 - 2.11 the Revelation Film Festival to take place in July 2014; and
3. **The festival events detailed in clause 2 above shall be subject to the following conditions:**
 - 3.1 the sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;
 - 3.2 ‘event fees’ for the festivals shall be waived;
 - 3.3 a bond of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;
 - 3.4 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;
 - 3.5 the event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;
 - 3.6 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;
 - 3.7 the activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;
 - 3.8 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;
 - 3.9 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

3.10 full compliance with the City's Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy 1.1.8 'Festivals' and Policy 3.8.3 'Concerts and Events';

to the satisfaction of the Chief Executive Officer.

4. RECEIVES a further report on the following events for consideration of funding approval subject to meeting the criteria of the City's Policy 1.1.8 Festivals;

Event	Indicative Date	Amount Allocated
Electric Relaxation	30 November 2013	\$5,500
Festival D'Femme	8 March 2014	15,000
Hawkers Market	Date to be advised	\$9,400

5. Details of the Mt Hawthorn Festival be reported back to the Council prior to the Festival.

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval of the proposed Festivals Programme and their associated budgets for 2013/2014. Relevant supporting documentation, including detailed evaluation reports are included as confidential attachments to this report.

BACKGROUND:

At the Ordinary Meeting of Council held on 26 June 2012, the Council resolved the following:

"1. *APPROVES the following festival events funding as part of the City of Vincent Festivals Programme for 2012/2013:*

Festival/Event	Amount Allocated	Source
Leederville	\$50,000	Festival Funding
Angove Street	\$40,000	Festival Funding
Beaufort Street *	\$40,000*	Festival Funding
Perth International Jazz Festival	\$10,000	Festival Funding
WA Youth Jazz Orchestra	\$6,000	Festival Funding
Unallocated Festival and Community Events Funding	\$80,000	Festival Funding

* *NOTES that the City has already approved at the Ordinary Meeting of Council held on 10 April 2012 (Item 9.4.2) a \$20,000 contribution to the Beaufort Street Network Inc. to assist in organising the 2012 Beaufort Street Festival.*

2. *AUTHORISES the following festivals to take place in 2012/2013:*

2.1 *The Beaufort Street Network Inc. to organise the "Beaufort Street Festival" to be held on Saturday, 17 November 2012, from 12pm to 10pm and the Festival Bar until midnight;*

2.2 *The North Perth Business and Residents Group (The North Perth Group) to organise the Angove Street Festival to be held on Sunday, 24 March 2013;*

2.3 *WA Youth Jazz Orchestra to organise a festival to take place at a date to be advised;*

2.4 *WA Ellington Jazz Club to organise a 'Perth International Jazz Festival' to take place at a date to be advised; and*

2.5 *The Leederville business owners to organise a festival to take place at a date to be advised;*

3. *DEFERS consideration until such time as the City's Officers have carried out further engagement with the local community and stakeholders; and report back at the last Ordinary Meeting of Council in August 2012;*
4. *AUTHORISES that the festival events detailed in clause 2 above shall be subject to the following conditions to the satisfaction of the Chief Executive Officer:*
 - 4.1 *The sponsorship contribution shall be paid to the festival organisers on a reimbursement basis of expenditure incurred through the provision of tax invoices;*
 - 4.2 *'Event Fees' for the festivals shall be waived;*
 - 4.3 *A bond up to a maximum of \$3,000 shall be retained by the City as security for any damage to or clean-up of the event area;*
 - 4.4 *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;*
 - 4.5 *The event organisers shall comply with the conditions of use and fees imposed, including Environmental Health and other conditions;*
 - 4.6 *The event organisers shall ensure full consultation with businesses and residences within the event perimeter 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;*
 - 4.7 *The activities and programme offered as part of the events shall be accessible, inclusive and targeted to a broad range of residents;*
 - 4.8 *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;*
 - 4.9 *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*
 - 4.10 *Compliance with the City's Policy 1.1.5 'Donations, Sponsorship and Waiving of Fees and Charges', Policy 1.1.8 'Festivals' and Policy 3.8.3 'Concerts and Events'; and*
5. *That Council RECEIVES a further report in relation to the Perth Fashion Festival, Harmony Celebrations and any other events which are or seeking funding."*

DETAILS:

On 20 January 2013, an advertisement inviting organisations planning major festivals within City of Vincent in 2013/2014 to apply for funding appeared in the *Guardian* and *Voice* newspapers, on the City of Vincent website and Facebook page. The deadline for submissions was 22 February 2013. Thirteen applications were received.

The Beaufort Street Festival, Light Up Leederville Carnival, WA Youth Jazz Orchestra (WAYJO), Hyde Park Angove Street Festival were held in the 2012/2013 financial year and evaluation reports have been received for each.

MOUNT HAWTHORN – STREET FESTIVAL

On 7 February 2013, the City's Officers attended the first group meeting of Mount Hawthorn retailers and businesses. The aim of the meeting came about from Tina Burkett's interest in holding a street festival to enliven the area, and draw more attention to the shopping precinct. The meeting had over thirty (30) attendees and it was decided by the group that they should become an incorporated group and hold regular meetings. This incorporation is currently underway. The discussion turned to holding an event which would bring people to the suburb. A fashion festival was proposed for the area, however the group would like a community event with family activities to promote the area. Currently, consultation between the Mount Hawthorn retailers and local events companies are taking place. The group's submission to the Festivals advertisement is found in Confidential Attachment 001.

Officer Comments

An amount of \$45,000 is recommended for an event in Mount Hawthorn.

VINCENT FASHION EVENT

On 21 March 2013, the City Officers organised a 'Fashion Soiree', a round table discussion on the topic of fashion in the City of Vincent. Attendees at the meeting included local designers, fashion editors and independent boutiques within the City. This meeting, along with recent discussions with the Perth Fashion Festival has led to the proposal of a fashion based event highlighting the City's independent boutiques, Western Australian Designers, local stylists and local fashion related businesses.

Since the meeting, the City's Officers have met with the Grants Officer from the Department of Culture and the Arts in order to access funding to showcase a fringe fashion festival in Vincent.

The event is proposed to be held in Leederville, on Thursday 5 September 2013 as a prelude to the Perth Fashion Festival. Thursday has been indicated by boutique owners as a good night to take advantage of late night shopping, when the street is already bustling with activity. The aim is to promote local WA Designers, local boutique fashion retailers, beauty salons and stylists. With the intent to give a rare opportunity for new and emerging WA designers to experience working in a catwalk, delivering their garments in a professional environment and learning the tricks of the trade.

During the Vincent's Fashion Soiree, the effectiveness of live models in shop windows was discussed, and this forms part of the event.

The event will have two components: firstly a live model shop-front window display along Oxford Street, and following that a pop-up laneway cat walk fashion show, featuring local emerging designers. Preference will be to designers living and/or working within the City of Vincent, however may be extended to the wider WA designer community.

The lane way between Funky Bunches and Kailis Brothers will be transformed into a pop up catwalk, complete with chandelier lighting, music, models – it will be like an "exclusive" fashion event, but open to the whole community to attend. The models will wear a selection of WA designer garments, accessories and styled by local make-up artists and hair stylists. Window decals will provide information on the designers, to help promote this. Each shop involved will create something special in their windows as a backdrop or theme to the live model and boutiques have expressed interest to host their own in-store event which might include champagne or exclusive store discounts for the evening.

Letters of support from WA Designers: Dear Maurice, GIORGI MODA, Trouble Bound Clothing, Magpie House, Suzi Homemaker and Oxford Street Boutiques: Varga Girl, Rohan Jewellery, Blink 138, Remedy, Henry Hiccups, Harry & Gretel have been received.

Project Manager and Perth Stylist & Fashion Curator, Emma Bergmeier has expressed interest. Emma's role will be to collaborate with the City's Officers to organise the models, shop displays, designers and style and programme the launch event. Emma has extensive experience in the fashion industry and is working for PFF freelance and is currently on the Perth Fashion Festival Youth Advisory Board. Emma's contacts and experience make her invaluable to the project.

Local artist, Yolanda Stapleton, has expressed interest in curating a jewellery "gumball" machine initiative called 'Fashionable Statements'. The City would rent gumball machines and in place of candy fill them with little packages of jewellery. Local designers would be commissioned to design an affordable piece in response to quotes from famous fashion designers, then a series of machines would be installed either at retail locations, or at fringe events where people could interact with the machine to buy a piece. The price point would be kept reasonably low to accommodate the setup and the packages would be branded to include a little information about the project and the quote the piece was inspired by. The works would be limited edition and available only for this event.

The City's Officers will collaborate with Vincent Boutique fashion stores and WA emerging designers to curate an evening showcasing a night of exclusive local WA fashion. The event is proposed to be on Thursday, 5 September 2013 during late night shopping in Oxford Street Leederville. The events will be included in Perth Fashion Festival Brochure as part of the Cultural Program, and also be featured on a one page advertisement inside the brochure.

Boutique shop front windows of Oxford Street will come alive with live models posing as mannequins adorning Western Australian independent designer wares. Oxford Boutique stores will individually curate their shop-front windows with the help of the Stylist/Project Manager, Emma Bergmeier to over-see the styling. Each boutique will have the option to source their own models, make-up artists and stylists for the display, otherwise they can be provided from our selection of emerging WA models, local make-up artists and stylists. The windows will display models wearing all Western Australian designer clothing and accessories. On each window a printed decal sticker will list what the live model is wearing, to further expose the WA designer's brand. This is an opportunity for WA designers to style and theme their brand for the public.

The Laneway Catwalk/Fashion show would be the final celebration of the Window displays, bringing the crowd in from Oxford Street, to gather in the laneway (between the Florist and Kailis Restaurant) for a spectacular Catwalk, with the aim to showcase emerging WA designers for the first time in a funky, professional setting. The laneway will have a festival vibe with DJs, lighting, and pop up fashion stalls from local boutiques. The aim is to involve up to 10 WA designers for the fashion show and window display showcase. For our selection process, the City will do a call-out advertising via its website, social media and invitation for Expressions of Interest to the Fashion and Design sector of TAFE/Universities in WA along with fashion hubs. The City's selection criteria is based on finding emerging WA designers who are currently 'under the radar'. We are looking for wares and accessories that have a distinctive design that emanates originality, flair and creativity. The participating Oxford Street boutique stores are: Unison Apparel, Remedy Boutique, Varga Girl, Henry Hiccups, Atlas Divine, Harry & Gretel, and Blink 138.

An application to the Department of Culture and the Arts has been submitted for funding up to \$30,000 to assist with the event costs.

Officer Comments

The project provides support to our independent boutiques and emerging fashion designers. This will also help in revitalising our laneways and hopefully lead to more pop up events. An amount of \$20,000 is recommended as the City's contribution to the project.

PRIDE FESTIVAL 2013

The City of Vincent's involvement in 2013/2014 is requested in three areas. The request is a mixture of inkind support and cash. The events and support requested are listed below:

The Pride Parade - 2 November 2013

Temporary Road Closures
Ranger Services
City of Vincent float

Summer Picnic in the Park - 16 February 2014

In March 2014, PrideWA intends to introduce the 'Pride Picnic in the Park' event catering for families within the Pride community that have children (or furry children). The event will be assessable and family focused encouraging LGBTI community members to include their extended circle of family and friends.

Fundraising Event – Quiz Night – Date TBC

Requesting the use of Royal Park Hall in North Perth at a date to be confirmed.

Please see Confidential Attachment 002 for more information.

Officer Comments

PrideWA is requesting \$25,000, but upon further discussions with PrideWA an amount of \$15,000 is recommended.

BEAUFORT STREET FESTIVAL

The third Beaufort Street Festival was held on Saturday, 17 November 2012 from 12 noon to 9pm. The Beaufort Street Network joined forces with Jump Climb to deliver the festival, with the assistance of a hired Festival Director, volunteers, sponsors and other committees. The Festival was the biggest yet, and very successful with an estimated attendance of 100,000 people.

The Festival programme focussed on four key areas: Music, food, fashion and art which overall reflected the unique style and vibrancy of the Beaufort Street Precinct.

The Beaufort Street Festival will take place this year on Saturday 16 November 2013. The Beaufort Street Network will again contract Jump Climb to be the primary body responsible for delivery of the Beaufort Street Festival. Jump Climb will engage a production manager to ensure successful coordination of the event.

A community consultation was held on Wednesday, 17 April 2013 at local bar Defectors. The event was an opportunity to provide feedback on the 2012 Beaufort Street Festival to the Festival Directors and Beaufort Street Network Steering Committee. It was also a chance to register interest to be involved in the sub committees.

This year, a panel of community representatives will again be created, drawing on both local residents and business, with a diversity of expertise and skills in event management, legal and media fields.

The Community Panel will consider key issues such as:

- Local resident and wider community participation and engagement;
- Local business participation and engagement;
- Media and Marketing, including branding for the Network; and
- Sponsorship and Budgeting.

In addition to the panel of community representatives, the following committees will be in place for 2013:

- Arts Director, with arts program committee;
- Family and Children's Director, with family program committee;
- Food Director, with food program committee; and
- Fashion Director, with fashion program committee.

A post event report on the Beaufort Street Festival was prepared by the Beaufort Street Network as required by the City of Vincent and is attached in Confidential Attachment 005.

A number of key elements of the proposal have been highlighted below:

Funding

Key funding sources such as Lotterywest, City of Stirling, Local Business registration, Food and Retail Stalls, Media Sponsorship and private sponsorship will be sought.

The organisers believe due to the significant size of the festival additional funding will be required for:

- Traffic Management Plan;
- Security; and
- Shading/Seating.

With the crowds reaching 100,000, and the weather hot for all three past Festivals, further investment will be required to expand seating and shaded areas, particularly around stage areas.

Please find the Confidential Attachment 004 which has the Beaufort Street Network's proposal and evaluation and acquittal from 2012.

Officer Comments

Given the continuing success of the Beaufort Street Festival, an amount of \$75,000 is recommended in the 2013/2014 Draft Budget.

ELECTRIC RELAXATION

The Funk Club have proposed to hold a new boutique music festival featuring quality music, aimed at a more mature audience in Hyde Park. Renowned international acts Lee Fields, Quantic Soul Orchestra and Mr Scruff are currently in negotiation. The aim of the event is to showcase some of the best music acts in the world, whilst providing a summer festival to a more mature and cultured audience.

The day long festival will be a ticketed event in Hyde Park with a small licensed area. Market stalls exhibiting local wares (Food, clothing brands and other local wares) will also be on the grounds.

There will also be opportunity for local musicians to gain exposure by supporting the international acts.

The event organisers are seeking the City of Vincent's support for \$5,500 to hold this event at a date to be confirmed in the summer months as outlined in Confidential Attachment 003.

Officer Comments

It is recommended that \$5,500 is approved to provide an external contractor for recycling contract, and potentially in-kind support for general waste management.

LIGHT UP LEEDERVILLE

The first Light Up Leederville Carnival was held on 8 December 2012, organised by Leederville Connect. The business and residents group enlisted Jimmy Murphy of the Funk Factory as event organiser and this brought along its own flavour of an eclectic mix of roving street performers, a double-decker bus as a stage and an estimated 24,000 people to Leederville.

The carnival coincided with the "lighting up" of three trees along Oxford and Newcastle Street which have become a permanent feature within the landscape.

The Light Up Leederville Carnival is proposing to be held again between November and December on a date to be confirmed.

Please find the Confidential Attachment 005 which has Leederville Connect's proposal and evaluation from 2012.

Officer Comments

It is recommended that \$60,500 is approved to Leederville Connect to again hold this successful festival.

HYDE PARK FAIR

A community favourite for the past twenty five years, the North Perth Rotary Group is seeking funds to hold their annual fair at Hyde Park. The North Perth Rotary Group are seeking \$30,000 to contribute to the budget to hold the two day event on 2-3 March 2014.

The Hyde Park Fair have submitted an extensive evaluation report as outlined in Confidential Attachment 006.

Officer Comments

It is recommended that \$27,500 is approved to the North Perth Rotary to again hold the Hyde Park Fair.

ST PATRICK'S DAY PARADE

On 17 March 2013, Leederville had its very first St Patrick's Day Parade and Family Fun Day. The streets were packed with around 7000 people, and most flowed into Medibank Stadium in Leederville post parade for the 'family fun day'.

Irish Families in Perth are again proposing to hold the St Patrick's Day parade and family fun day in Leederville. The parade will again be made up of community groups, multicultural floats and a Grand Marshall.

The group is seeking \$20,000 to hold the event in 2014. This would allow the group to begin promotion earlier in the year, as well as potentially securing more widely known musical acts to perform on the stage at the Oval.

A debrief meeting outlining improvements to the parade, event and overall event coordination was held on 16 May 2013. An evaluation report and application for sponsorship in 2014 is outlined in Confidential Attachment 007.

Officer Comments

It is recommended that \$20,000 is approved to Irish Families in Perth to again hold the St Patrick's Day event. The event brought over 10,000 people to Leederville and was enjoyed by all.

ANGOVE STREET FESTIVAL

The 2013 Angove Street Festival was organised by the North Perth Group and PSquared Communications. The event took place on Sunday, 7 April 2013 between 10am and 5pm. The festival was extremely successful with approximately 45,000 attendees, a significant increase on the 2012 festival. The North Perth Group hopes to build on this number and the subsequent community involvement.

The major sponsors for 2013 were the North Perth Bendigo Community Bank and the City of Vincent. Other sponsors were Lotterywest, Paragon Property, the Rosemount Hotel, Channel Ten, Realmark Property, The Sunday Times, and Fiorentinas. The majority of local businesses in the Angove Street Precinct were involved through direct sponsorship and in-kind support.

The festival in 2013 had separate areas – a kid zone, fresh food market, style and homeware areas. The event was extremely well organised and the City has received positive reviews.

2014 plans to build on these areas taking in feedback from surveys from stallholders and the general public. An application for sponsorship in 2014 is outlined in Confidential Attachment 008.

Officer Comments

It is recommended that the requested amount of \$45,000 is approved to the North Perth Group to again hold this successful festival.

Revelation Film Festival 2014

In July 2013, the Revelation Film Festival will return back to the Luna Cinema in the City of Vincent. The City's Officers negotiated an introductory sponsorship special of \$5,000 in return for a Gold Sponsorship level, worth \$15,000, plus the naming rights to one of the creative workshops/discussions in their program. The Revelation Film Festival is the event of the year for film lovers and has a wide reaching audience.

Officer Comments

It is recommended that \$10,000 be allocated and considered again, once the event is completed and a full evaluation and report to Council is received.

Festival La Femme

The Festival La Femme is a festival celebrating the many talents of WA women. The festival is an opportunity to celebrate women, in particular Perth's leading ladies in the arts and culture and business sectors. The event is proposed to be held on International Women's Day on Saturday, 8 March 2014.

The festival, like a 'mini-fringe' style festival, will encompass a range of different venues and spaces. But its point of difference will be that it will be made entirely by women. It will encompass a broad range of arts – across the art forms of theatre, cabaret, music, burlesque, rap and hip-hop, dance, writing and visual/multi-media arts.

The event has numerous locations that the event can be held at. Discussions with the City Officers about areas in need of activation will take place once the event is approved.

An event proposal is outlined in Attachment 010.

Officer Comments

An amount of \$15,000 is recommended to hold an event at a reduced scale.

WA Youth Jazz Orchestra

Following the success of our inaugural event in 2012 at Hyde Park, the WAYJO Big Band Festival are proposing to hold another event in 2013. The festival plans to feature Mace Francis Orchestra, the Hip Mo' Toast Big Band, the Horizon Art Orchestra, Oz Big Band, and the Ricki, Ben and Tilman Experience, as well as the three WAYJO ensembles. The event celebrates the vibrant and unique big band music of Perth in a positive, family-friendly and environmentally-sustainable setting.

Support with planning and financial elements of the event would be requested from the City of Vincent, and all associated promotion and activities for the festival would acknowledge the City of Vincent as the key partner/supporter and presenter.

Officer Comments

To provide WAYJO this opportunity and to save costs on our festival program, it is recommended that this event forms one of the four City of Vincent Summer Concerts program in 2014.

Eid/End of Hajj Event

The Muslim Social and Sports Association (MSSA) approached the City of Vincent seeking support for an event within the City to celebrate Eid. Subsequently a letter from the Mayor was sent to Muslim and Islamic groups within Western Australia, seeking wider general support for an Eid Festival to be held in the City.

Eid al-Fitr is a religious holiday that marks the end of the month of Ramadan, the month of fasting and worship for Muslim. This occurs between August and September. The end of Hajj is similarly an auspicious event for the faith.

City Officers are currently in consultation with Muslim groups to ascertain event coordination and management responsibilities.

Officer Comments

It is recommended that the use of one of the City's Park/Reserves and \$7,500 towards the event to support an Eid festival to celebrate not only the Muslim culture and traditions, but all cultures within the City of Vincent with a mini cultural celebration.

Harmony Week

In 2013, Harmony Week (15 – 21 March) was celebrated in the City of Vincent at Hyde Park with a large inflatable screen featuring a VJ featuring dance clips from across the globe and an experimental documentary made by Planet Earth called "The 11Eleven Project". A world music band and a mini international food market featured Indian, Thai, American, Belgium and other international cuisines. In 2014, it is proposed to hold another celebration.

Officer Comments

It is recommended that an amount of \$15,000 be set aside for Harmony Week Celebrations in the festival budget, with report proposing an event to be submitted to the Council for approval in early 2014.

Leederville Hawkers Market

An application has been received for a Leederville Hawker's Market featuring foods from the local restaurants in an outdoor setting, aiming to bring each restaurant's signature dish to the streets and encourage the community to eat together, outdoors.

Upon further discussion with the City's Officers, this proposal could be utilised at the launch of the new Oxford Reserve, upon completion.

Officer Comments

It is recommended that an amount of \$9,400 be set aside for Leederville Hawkers Market in the festival budget, with an additional report to the Council proposing the event in more detail closer to completion of the new Oxford Reserve development.

CONSULTATION/ADVERTISING:

A comprehensive promotional strategy will be prepared for all festivals, which include advertising in community newspapers, street banners, letter drop to City of Vincent residents, flyers/posters and use of the City's social networking page.

LEGAL/POLICY:

- Policy 1.1.5 Donations, Sponsorship and Waiving of Fees and Charges;
- Policy 1.1.8 Festivals; and
- Policy 3.8.3 Concerts and Events.

STRATEGIC IMPLICATIONS:

The City of Vincent's Plan for the Future, Strategic Plan 2011 – 2016:

"Key Result Area Three – Community Development – Objective 3.1: Enhance and Promote Community Development and Wellbeing:

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

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

SUSTAINABILITY IMPLICATIONS:

The purpose of the Festivals is to provide community events in the City and is an excellent opportunity to promote environmental/sustainability initiatives provided by the City.

RISK MANAGEMENT IMPLICATIONS:

Moderate: Previous festivals have been extremely popular and successful; however, factors such as weather on the day can be a contributing factor to attendance levels.

FINANCIAL/BUDGET IMPLICATIONS:

The amount of \$376,900 is listed on the Draft Annual Budget 2013/2014 for the festival programme.

COMMENTS:

The festivals that were staged in the City of Vincent last year were all very successful, with large attendances and excellent positive feedback from both the community and businesses. The City of Vincent is known as a creative hub, and a City that provides its community with diverse arts and culture activities.

City of Vincent Officers recognise the excellent contribution the festivals make to the community and support the proposed festivals. This is evident in the positive feedback received from residents and visitors alike.

9.1.7 Heritage Strategic Plan 2013-2017

Ward:	Both Wards	Date:	17 May 2013
Precinct:	All Precincts	File Ref:	PLA0088
Attachments:	001 – Heritage Strategic Plan 2013-2017		
Tabled Items:	Nil		
Reporting Officer:	H Au, Heritage Officer		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final version of the Heritage Strategic Plan 2013-2017 as shown in Appendix 9.1.7 resulting from the advertised version being reviewed having regard to two (2) written submissions received during the formal advertising; and
2. **APPROVES** the Heritage Strategic Plan 2013-2017 as attached in Appendix 9.1.7 to form part of the City's Plan for the Future.

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation, together with the following change(s), be adopted:

That Clause 1 be amended to read as follows:

- “1. **ADOPTS** the final version of the Heritage Strategic Plan 2013-2017 as shown in Appendix 9.1.7 resulting from the advertised version being reviewed having regard to two (2) written submissions received during the formal advertising; subject to the Heritage Strategic Plan 2013-2017 being amended as follows:

1.1 Page 2 be amended as follows:

- “Key Result Area 4 - ~~COUNCIL~~ CITY PROPERTY AND HERITAGE - Timeline
- Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE ~~IN COUNCIL~~ – Timeline”

1.2 Page 5 be amended as follows:

- “Key Result Area 4 - ~~COUNCIL~~ CITY PROPERTY AND HERITAGE - Asset Management and Leading by Example
- Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE ~~IN COUNCIL~~ - Improving Knowledge and Services”

1.3 Page 6 be amended as follows:

- “Improving Knowledge and Services Builds on the solid platform the City have has put in place in the past years”

1.4 Page 10 be amended as follows:

- “Key Result Area 4 - ~~COUNCIL~~ CITY PROPERTY AND HERITAGE
- Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE ~~IN COUNCIL~~”

1.5 Page 15 be amended as follows:

- “Key Result Area 4 - ~~COUNCIL~~ CITY PROPERTY AND HERITAGE”

1.6 Page 16 be amended as follows:

- “Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE IN ~~COUNCIL~~”

1.7 Page 21 be amended as follows:

- “Key Result Area No. 4 - ~~Council~~ City Property and Heritage: Performance Measures Timeline”

1.8 Page 22 be amended as follows:

- “Key Result Area No. 5 – Institutional Heritage Expertise in ~~Council~~: Performance Measures Timeline” ”

Debate ensued.

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.7

That the Council;

1. **ADOPTS** the final version of the Heritage Strategic Plan 2013-2017 as shown in Appendix 9.1.7 resulting from the advertised version being reviewed having regard to two (2) written submissions received during the formal advertising; subject to the Heritage Strategic Plan 2013-2017 being amended as follows:

1.1 Page 2 be amended as follows:

- Key Result Area 4 - CITY PROPERTY AND HERITAGE – Timeline;
- Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE– Timeline;

1.2 Page 5 be amended as follows:

- Key Result Area 4 - CITY PROPERTY AND HERITAGE - Asset Management and Leading by Example;
- Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE - Improving Knowledge and Services;

1.3 Page 6 be amended as follows:

- Improving Knowledge and Services Builds on the solid platform the City has put in place in the past years;

1.4 Page 10 be amended as follows:

- Key Result Area 4 - CITY PROPERTY AND HERITAGE;
- Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE ;

1.5 Page 15 be amended as follows:

- **Key Result Area 4 - CITY PROPERTY AND HERITAGE;**

1.6 Page 16 be amended as follows:

- **Key Result Area 5 – INSTITUTIONAL HERITAGE EXPERTISE ;**

1.7 Page 21 be amended as follows:

- **Key Result Area No. 4 - City Property and Heritage: Performance Measures Timeline;**

1.8 Page 22 be amended as follows:

- **Key Result Area No. 5 – Institutional Heritage Expertise: Performance Measures Timeline; and**

- 2. APPROVES the Heritage Strategic Plan 2013-2017 as attached in Appendix 9.1.7 to form part of the City's Plan for the Future.**
-

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the final version of the Heritage Strategic Plan 2013-2017 and seek final adoption.

BACKGROUND:

The Council at its Ordinary Meeting held on 26 February 2013 considered the Draft Heritage Strategic Plan 2013-2017 and resolved that the item be deferred for further consideration.

At the Ordinary Meeting of Council held on 12 March 2013, the Council approved in principle the Draft Heritage Strategic Plan 2013-2017 subject to the Draft Heritage Strategic Plan being amended as follows:

“1.1 Page 5 be amended to delete the following:

- ~~*The City purchased the State Heritage Listed No. 81 Angove Street, North Perth (formerly North Perth Police Station) in 2009, which is currently leased to a not-for-profit organisation. A business plan for the property is currently being prepared in relation to the use of the site*~~

1.2 Page 10 be amended as follows:

Contemporary design is valued;

1.3 Page 14 be amended to read as follows:

Develop a dedicated Local Planning Policy to guide the process for the adoption of a Heritage Area and to initiate incentives for the property owners within the Heritage Area for the Council to consider and determine;

1.4 Page 16 be amended to read as follows:

Conduct open days and/or guided tours for leased and non-leased heritage properties and parks owned by the City, e.g. Lee Hops Cottage Robertson Park and Beatty Park Leisure Centre to increase public access and awareness.”

In addition, at the Ordinary Meeting of Council held on 12 March 2013, the Council resolved to authorise the Chief Executive Officer to advertise the Draft Heritage Strategic Plan 2013-2017 and to report back to the Council to adopt the final version of the Plan taking into consideration any submissions received during the advertising period

History:

Date	Comment
12 June 2007	The Council considered the Draft Heritage Strategic Plan 2007-2012 and resolved to defer the item to include proposed changes.
26 June 2007	The Council reconsidered and endorsed the Draft Heritage Strategic Plan 2007-2012 and authorised the Chief Executive Officer to advertise the Plan.
11 September 2007	The Heritage Strategic Plan 2007-2012 was adopted by the Council.
26 February 2013	The Council considered the Draft Heritage Strategic Plan 2013-2017 and resolved to defer the item.
12 March 2013	The Council approved in principle the Draft Heritage Strategic Plan 2013-2017 subject to amendments and authorised the Chief Executive Officer to advertise the Draft Heritage Strategic Plan 2013-2017 and to report back to the Council to adopt the final version.

Previous Reports to Council:

This matter was previously reported to the Council on 12 June 2007 (Item 10.1.5), 26 June 2007 (Item 10.1.4), 11 September 2007 (Item 10.1.4), 26 February 2013 (Item 9.1.10) and 12 March 2013 (Item 9.1.4).

The Minutes for the above Ordinary Meetings of Council relating to this report are available on the City's website at the following links:

http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes/Minutes_2007

http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes

DETAILS:

The City's existing Heritage Strategic Plan 2007-2012 was adopted by the Council in September 2007 and has provided a strong framework to implement heritage management at the City, during this period. The amended 2013-2017 version of the Strategic Heritage Plan is built on the same structure as the existing plan and has been updated with new target dates and some new initiatives.

During the advertising of the Draft Heritage Strategic Plan 2013-2017, the matter has been tabled at the City's Local History and Heritage Advisory Group and publicised widely for community comment.

The final version of the Heritage Strategic Plan 2013-2017, as shown in Appendix 9.1.7, has addressed the comment received from the Ordinary Meeting of Council held on 12 March 2013 and the submissions received during the advertising period. The modifications are addressed in the attached schedule of submissions, and are underlined and struck-through on the final version of the Heritage Strategic Plan.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
--------------------------	----	-------------------------------------	-----

Consultation Type:	<ul style="list-style-type: none"> • Written notification to owner(s) and occupier(s) of adjacent affected properties as determined by the City of Vincent and to the Western Australian Planning Commission and other appropriate government agencies as determined by the City of Vincent; • Advertisement in local newspaper; • Council member notification; • Community Precinct Group notification; • Notice on the City's website; and • Copies displayed at City of Vincent Administration and Civic Centre and Library. • Circulated to Local History and Heritage Advisory Group
Comments Period:	28 days

A total of two (2) submissions were received during the four week consultation period as follows:

Government Authority Submissions

Position	Number Received	Percentage
Support	1	50%
Object	-	-
Not Stated	1	50%
Total	2	100%

Community Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	-	-
Total	0	-

Total Submissions Received

Position	Number Received	Percentage
Support	1	50%
Object	-	-
Not Stated	1	50%
Total	2	100%

Summary of Submissions

No	Name	Object or Support	Comments	Officer Comments
1.	State Heritage Office	Not stated	The Plan should be linked to the Integrated Planning and Reporting Framework, particularly in relation to objectives and strategies identified in the Strategic Community Plan and Asset Management Strategy.	Supported – amended as suggested on page 6 of the Heritage Strategic Plan 2013-2017.
2.	National Trust of Australia (WA)	Support	The target date in the Performance Measure Timeline should be more clearly defined.	Supported – amended as suggested within the Key Result Area – Performance Measure on page 18-23 of the Heritage Strategic Plan 2013-2017.

The final version of the Heritage Strategic Plan 2013-2017 has been amended to address the comment received during the advertising period.

LEGAL/POLICY:

City of Vincent Community Consultation Policy No. 4.1.5.

RISK MANAGEMENT IMPLICATIONS:

Medium: It is important that the Council endorses the Heritage Strategic Plan 2013-2017 to be the City's guiding and strategic document to ensure that the City provide a quality services that enhances and celebrates our diverse history and community through identifying, conserving and promoting the cultural heritage of Vincent over the next five years.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 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 Sustainable Environment Strategy 2011 – 2016 states:

"1.2 The Environmental Sustainability Context

1.2.2 *Support for communities as they adjust to a changing climate and better manage areas of conservation or heritage importance."*

The following tables outline the applicable sustainability issues for this Heritage Strategic Plan:

ENVIRONMENTAL	
Issue	Comment
The retention of heritage buildings that are capable of reasonable adaptation and re-use can have a significant impact on reducing demolition waste.	

SOCIAL	
Issue	Comment
The City's residents will have a strong sense of belonging and will value Vincent as a unique place to live and work because of its unique cultural heritage.	

ECONOMIC	
Issue	Comment
By promoting and facilitating the continuing use of heritage assets, the City's heritage can be retained to contribute to rich variety of economic activity.	

FINANCIAL/BUDGET IMPLICATIONS:

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

Strategic Planning and Heritage Publicity and Promotion

Budget Amount:	\$12,000
Spent to Date:	<u>\$11,819</u>
Balance:	\$ 180

There are also other dedicated Heritage Management accounts that are allocated to various projects that stem from the Key Actions of the Heritage Strategic Plan. These will be reviewed as part of the 2013-2014 budget to align with the Heritage Strategic Plan 2013-2017.

COMMENTS & CONCLUSION:

Built on the solid platform the City has put in place in the past years, the Heritage Strategic Plan 2013-2017 provides an overarching framework and strategic direction for heritage management at the City of Vincent over the next five years. This Heritage Strategic Plan foresees that the heritage fabric in the City of Vincent will play an important role in maintaining the integrity of the urban environment.

In light of the above, it is recommended that the Council adopts and approves the final version of the Heritage Strategic Plan 2013-2017, in line with the Officer Recommendation.

9.5.2 Review of Policy No. 3.8.1 - Outdoor Eating Areas - Review

Ward:	Both	Date:	20 May 2013
Precinct:	All	File Ref:	LEG0025
Attachments:	001 – Draft Policy No. 3.8.1 – Outdoor Eating Areas		
Tabled Items:	Nil		
Reporting Officer:	M Wood, Acting Manager Ranger and Community Safety E Clucas, Acting Manager Health and Compliance Services C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY to adopt the Draft Amended Policy No. 3.8.1 - Outdoor Eating Areas, as shown in Appendix 9.5.2;**
2. **Subject to clause 1 above being approved:**
 - 2.1 **ADVERTISES the Draft Amended Policy for a period of twenty-one (21) days, seeking public comment;**
 - 2.2 **after the expiry of the period of submissions, AUTHORISES the Chief Executive Officer to:**
 - 2.2.1 **review the Draft Amended Policy No. 3.8.1 - Outdoor Eating Areas, having regard to any written submissions; and**
 - 2.2.2 **determine to proceed with, or not to proceed with, the draft amended version of Policy No. 3.8.1 - Outdoor Eating Areas; and**
3. **AUTHORISES the Chief Executive Officer to include the above Policy in the City's Policy Manual if no submissions are received from the public.**

COUNCIL DECISION ITEM 9.5.2

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (7-0)**

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to amend the current Policy No. 3.8.1 – Outdoor Eating Areas, to remove any ambiguity.

BACKGROUND:

- 28 September 2010 The Council at its Ordinary Meeting endorsed the Reviewed Policy No. 3.8.1 – Outdoor Eating Areas. The Council determined that the Policy should be again reviewed in September 2015.
- 12 March 2013 The Council discussed concerns regarding Policy No. 3.8.1 – Outdoor Eating Areas, and requested the Policy be reviewed.
- 26 March 2013 Following representation made to Council at Public Question Time, a request was made to review Policy No. 3.8.1 – Outdoor Eating Areas, particularly in relation to Pedestrian Access Ways and access widths.

DETAILS:

Following the request from the Council at its Ordinary Meeting held on 12 March 2013, Officers undertook a comprehensive review of Policy No. 3.8.1 – Outdoor Eating Areas, to establish whether it continued to meet the needs of the community.

The Officers have determined that the Policy would benefit from a number of minor amendments, which while not changing the import of the Policy, would clarify and standardise the way that an Application for an Outdoor Eating Area Permit is assessed and also provide direction on the cancellation of a permit should this be required.

Access Widths

Policy No. 3.8.1 – Outdoor Eating Areas was reviewed, particularly in relation to Pedestrian Access Ways and access widths. The Policy remains unchanged at this area, as under review it was found to be consistent with the City of Vincent Trading in Public Places Local Law 2008 which states;

“2.17 Matters to be considered in determining application

In determining an application for a permit for the purpose of clause 3.5, the local government may consider in addition to any other matter it considers relevant, whether or not –

- (f) the outdoor eating area would –*
- (i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; or*
- (ii) impede pedestrian access..”*

The existing Policy delineates two scenarios for unimpeded pedestrian access to be maintained, stipulated at clauses:

- 3.1 for outdoor eating areas against the kerbside that *"a minimum clear pedestrian zone of 1500mm to be maintained between the building line and the outdoor area;"*

or

- 3.2 for outdoor eating area adjacent to the building line *"shall maintain a minimum of 2000mm clear pedestrian access between the kerb face and the outdoor eating area, to accommodate existing structures such as litter bins, signs, and the like.."*

Simplified diagrams at FIGURE 1 and FIGURE 2 of the Policy have now been proposed to clarify locations of an Outdoor Eating Area abutting the building line (FIGURE 1) and an Outdoor Eating Area adjacent to a kerb line (FIGURE 2). The Policy has had further minor changes proposed to explain how a road classification determines the location of where an Outdoor Eating Area will be placed.

Cancellation of a Licence

To date there has not been a need to cancel an Outdoor Eating Area Permit. The Trading in Public Places Local Law 2008 provides guidance as to the circumstances in which a Permit can be cancelled, as follows;

“3.13 Cancellation of permit

- (1) *Subject to clause 8.1, a permit may be cancelled by the local government on any one or more of the following grounds –*
 - (a) *the permit holder has not complied with a –*
 - (i) *condition of the permit; or*
 - (ii) *provision of any written law which may relate to the activity regulated by the permit;*
 - (b) *the permit holder is convicted of an offence against this local law;*
 - (c) *the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages; or*
 - (d) *if it is relevant to the activity regulated by the permit –*
 - (i) *the permit holder has become bankrupt, or gone into liquidation;*
 - (ii) *the permit holder has entered into any composition or arrangement with creditors; or*
 - (iii) *a manager, an administrator, a trustee, a receiver, or a receiver and manager is appointed in relation to any part of the permit holder's undertakings or property.*
- (2) *On the cancellation of a permit the permit holder –*
 - (a) *shall return the permit as soon as practicable to the local government; and*
 - (b) *is to be taken to have forfeited any fees paid in respect of the permit.”*

Outdoor Eating Area Policy No. 3.8.1 states;

“11.2 The City may impose conditions on a permit, which relate to the outdoor eating area. These conditions must be complied with at all times. Failure to comply will result in the City taking action in accordance with the relevant enforcement procedures.”

The Prosecution and Enforcement Policy No.4.1.22 is directed mainly at prosecutions; however, does state in section 2. Prosecutions:

“This Policy aims to ensure decisions in relation to prosecutions and enforcement of legislation are based on appropriate criteria which are accountable, transparent, open, fair and capable of being applied consistently across the broad range of circumstances to which the laws apply.”

Further,

“through the application of this Policy and Guidelines and Procedures, the City will avoid arbitrary decisions, and will ensure prosecutions are not conducted for improper purpose, capriciously or oppressively.”

The three documents above provide the power and circumstances under which an Outdoor Eating Area Permit can be cancelled; however, they do not provide a clear process which avoids arbitrary decisions being made.

It is proposed that a new section in Clause 13 includes a process to be followed prior to cancellation of a Permit being determined. Under this process, the Chief Executive Officer will determine under delegated authority if an Outdoor Eating Area Permit is to be cancelled and will report this action via the Delegated Authority Report to the Council. The decision to cancel will be made based on a detailed report submitted by the relevant service area, which will include a timeline of offences and actions leading into the request. The actions will be as per the following enforcement process;

PROCESS	COMMENT
1. Verbal Warnings	A verbal warning is given for non-serious activities, where there is not evidence for stronger enforcement action or they are not considered to be required at that time. An example of this is when patrons have moved their chairs into the non-licensed area. It is not practical to have a limit on the number of verbal warnings as they may be for different issues.
2. Written Warnings	When there is evidence that an offence may have occurred but the evidence is not strong enough to serve an infringement. An example of this is when there is evidence such as cigarette butts under tables, but no one smoking at the time of an Officer's presence. It is not practical to have a limit on the number of written warnings in this situation as the warnings may be for different offences.
3. Infringements issued	When in the presence of an Authorised Officer the evidence of an offence being committed is clear, an infringement should be served. An example of this is when an Authorised Officer witnesses a person smoking in an Outdoor Eating Area. After three occasions of infringements being issued, a report should be written to the CEO seeking cancellation of the Permit as per the <i>Trading in Public Places Local Law 2008</i> .

As soon as practicable after a decision has been made to cancel a Permit, the Permit holder will be notified in writing of the cancellation and the reasons for the decision. The Permit holder will also be advised of their right under Part 9 Division 1 of the Local Government Act 1995 of their right to object and apply for review of the decision.

The attached Draft Reviewed Policy No. 3.8.1 – Outdoor Eating Areas, shows the recommended changes to the Policy, the Application Form and the Internal Assessment Form.

Concerns raised in the petition to Council regarding Leederville Hotel additional Outdoor Eating Area.

At the Ordinary Meeting of Council held on 12 March 2013, an additional Outdoor Eating Area was approved on a trial basis at the Leederville Hotel for a maximum period of 12 months, for the footpath area adjacent to Leederville Hotel building line, having clear unobstructed access away of 1.5 metres at all times. This was subsequently reviewed upon the petition received by the City on 12 March 2013. The Policy states that an outdoor eating area on a Four Lane District Distributor Road, *"an outdoor eating area adjacent to the building line shall maintain a minimum 2000mm clear pedestrian access"*. In subsequent discussions pointing out this inconsistency with the Leederville Hotel Management, they have shown their willingness to ensure that their additional outdoor eating area does comply with the City of Vincent Policy. The Leederville Hotel have subsequently adjusted their eating area for the required unobstructed access of 2000mm, along with agreeing to the reduction in seating from 29 chairs to 24 chairs to accommodate this.

CONSULTATION/ADVERTISING:

The proposed Amendments to the City's Policy No. 3.8.1 – Outdoor Eating Areas will be advertised for a period of 21 days.

LEGAL/POLICY:

City of Vincent Trading in Public Places Local Law 2008; and Prosecution and Enforcement Policy No.4.1.22

RISK MANAGEMENT IMPLICATIONS:

Medium: The introduction of a reviewed Policy No. 3.8.1 – Outdoor Eating Areas will provide for efficiencies in determining whether approval should be granted for an Application to conduct an outdoor eating area, whether a new application or the renewal of an existing approval.

The inclusion in the Policy of a process to follow for the cancellation of a Permit will ensure decisions in relation to enforcement of legislation are based on appropriate criteria which are accountable, transparent, open, and fair.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

"Natural and Built Environment

1.1 *Improve and Maintain the Environment and Infrastructure.*

Governance and Statutory Compliance

With many new reporting standards and legislation that affect the operation of the City; compliance, transparency and accountability are the key components of the City's governance."

SUSTAINABILITY IMPLICATIONS:

There are no sustainability issues associated with this proposal.

FINANCIAL/BUDGET IMPLICATIONS:

Budget implications will be restricted to the advertising costs associated with the amended Policy No. 3.8.1 – Outdoor Eating Areas. The cost is estimated at \$600.00.

Expenditure for this matter will be incurred under the following budgeted item "Sundry Expenses":

Budget Amount:	\$3,300
Spent to Date:	\$1,175
Balance:	\$2,125

COMMENTS:

Policy No. 3.8.1 – Outdoor Eating Areas was last reviewed in September 2010. The recent review identified some shortcomings and appropriate amendments have been recommended to address these issues. The Policy has been reviewed in relation to Pedestrian Access Ways and access widths. Pedestrian access has though been found to be entirely consistent with City of Vincent Trading in Public Places Local Law 2008, with no changes on this section recommended. A Draft Reviewed Policy No. 3.8.1 – Outdoor Eating Areas, has been attached.

Although the City has never had to cancel an Outdoor Eating Area Permit, should the situation occur, it is appropriate to have a procedure in place which is consistent with other enforcement procedures currently used.

It is therefore recommended that the Council endorse the Officer Recommendation to advertise the Draft Amended Policy No. 3.8.1 – Outdoor Eating Areas.

9.1.4 LATE ITEM: FURTHER REPORT: Request for Investigation of Streetscape Policy – Progress Report No. 1

Ward:	Both Wards	Date:	23 May 2013
Precinct:	All Precincts	File Ref:	PLA0179
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	C Eldridge, Director Planning Services		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ENDORSES** the approach to addressing Residential Streetscapes through Heritage Areas as follows and **AUTHORISES** the Chief Executive Officer to:
 - 1.1 further investigate the protection of streetscapes through the concept of Heritage Areas, using a street/precinct selected by the City's Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan, as a case study, as outlined in the 'Comments' section of this report; and
 - 1.2 engage a specialist consultant to assist with the case study as outlined in the 'Comments' section of this report; and
2. **NOTES** that:
 - 2.1 following the completion of the above process, it is anticipated that the adopted planning framework shall be incorporated into a Local Planning Policy for use across the City for areas identified by the Community as worthy of streetscape protection; and
 - 2.2 the case study will include options for various incentive packages, such as subsidised architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses within a protected zone.

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation, together with the following change(s), be adopted:

That Clause 1 be amended to read as follows:

- "1. **ENDORSES** the approach to addressing Residential Streetscapes through Streetscape Heritage Areas as follows and **AUTHORISES** the Chief Executive Officer to:
- 1.1 further investigate the protection of streetscapes through the concept of Streetscape Heritage Areas, using a two street/precincts selected by the City's Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan, as a case study, as outlined in the 'Comments' section of this report; and
 - 1.2 engage a specialist consultant to assist with the case study studies as outlined in the 'Comments' section of this report; and"

Debate ensued.

Cr Harley departed the Chamber at 6.55pm.

Debate ensued.

Cr Harley returned to the Chamber at 7.00pm.

Debate ensued.

AMENDMENT 1

Moved Cr Topelberg, Seconded Cr Maier

“That Clause 1.1 be amended to read as follows:

- 1.1 further investigate the protection of streetscapes through the concept of Streetscape Heritage Areas, using a two street/precincts selected by the City’s Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan and the affected residents and landowners, as a case study, as outlined in the ‘Comments’ section of this report; and”**

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

AMENDMENT 2

Moved Cr Topelberg, Seconded Cr Pintabona

“That Clause 2.2 be amended to read as follows:

- 2.2 the case study will include options for various incentive packages, such as subsidised architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses within a protected zone and/or appropriate Planning concessions for retention of all/or part of an existing house in a protected zone.”**

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.4

That the Council;

- 1. ENDORSES the approach to addressing Residential Streetscapes through Streetscape Heritage Areas as follows and AUTHORISES the Chief Executive Officer to:**
 - 1.1 further investigate the protection of streetscapes through the concept of Streetscape Heritage Areas, using two street/precincts selected by the City’s Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan and the affected residents and landowners, as a case study, as outlined in the ‘Comments’ section of this report; and**
 - 1.2 engage a specialist consultant to assist with the case studies as outlined in the ‘Comments’ section of this report; and**
- 2. NOTES that:**
 - 2.1 following the completion of the above process, it is anticipated that the adopted planning framework shall be incorporated into a Local Planning Policy for use across the City for areas identified by the Community as worthy of streetscape protection; and**
 - 2.2 the case study will include options for various incentive packages, such as subsidised architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses within a protected zone and/or appropriate Planning concessions for retention of all/or part of an existing house in a protected zone.**

FURTHER REPORT:

The Council at its Ordinary Meeting held on 28 May 2013 considered a report to approve a twofold approach to addressing Residential Streetscapes, which was identified as follows:

1. review the City's Policy No. 3.2.1 relating to Residential Design Elements as a matter of priority to incorporate the management of streetscape types into the assessment process and provide a progress report to the Council by July 2013; and
2. further investigate the concept of Heritage Areas, through the engagement of a specialist consultant using a street selected by the City's Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan, as a case study, as outlined the 'Comments' section of this report.

Following the consideration on these two proposals, the Council resolved:

"That the item be DEFERRED for further consideration and subsequently be reported to the Ordinary Meeting of Council to be held on 28 May 2013."

The Minutes of the Ordinary Meeting of Council held on 14 May 2013, can be found at: http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes.

COMMENTS:

On deferral of this item, the approach to investigating the streetscape policy has been further refined to focus on Heritage Areas and the following comments and recommendations to progress the matter are provided.

Approach – Heritage Areas

The further investigation into Heritage Areas was originally recommended by the City's Officers to be undertaken after the advertising of Town Planning Scheme No. 2 (TPS 2). This was not regarding any discrepancies in provisions of Heritage Areas in Town Planning Scheme No. 1 and TPS 2, as the latter is proposed to be consistent with the Model Scheme Text. The reason advertising of new Heritage Areas was proposed to occur following the advertising of TPS 2 was to alleviate concerns that 'mixed messages' maybe presented by the Council during this period.

The Council has expressed that they would like the development of a process for the identification and adoption of Heritage Areas to proceed as soon as possible. To achieve this, within the context of the City's staffing resources and the preparation and undertaking of advertising and community engagement regarding the Local Planning Strategy and TPS 2 in the second half of this year, it is recommended that a consultant be engaged to assist with the recommended approach for Heritage Areas.

In light of these concerns, coupled with recognising the Council's interest in pursuing the concept of Heritage Areas, further consideration has been given to the recommendation. Reference to the timing of Town Planning Scheme No. 2 has been removed, the recommendation to engage a consultant to prepare a framework for the identification and management of Heritage Areas through a case study on a street/area selected by the City in liaison with the Mayor Hon. Alannah MacTiernan and the consultant has been developed.

The outcomes of the recommended approach are:

1. Identification and development of a Heritage Area as a Case Study for consideration by Council for adoption as a Heritage Area; and
2. Development of a Process for the identification and development of Heritage Areas through the use of a Case Study and the development of a Draft Local Planning Policy.

The broad scope of the Heritage Areas Case Study and Draft Local Planning Policy is to include planning requirements, process for establishing a heritage area and funding and incentives for heritage areas as follows:

Planning:

- Variations to any requirements set out in Residential Design Codes (where allowed);
- Variations to any requirements set out in Residential Design Elements Policy;
- Variations to any requirements set out in any other relevant City Policy;
- Relevant Clauses in The Town Planning Scheme that allow variations to be considered.

Process for establishing a Heritage Area:

- Identification and/or Nomination Process of a potential Heritage Area;
- Community Engagement Process;
- Statutory Process for consideration of a Heritage Area.

Funding and Incentives:

- City Funding Support for Heritage Area;
- Other Incentives for Heritage Areas.

To progress this matter, a formal Project Brief would need to be prepared and Request for Quote undertaken and/or a consultant selected through the State Heritage Office or WALGA Panels.

The updated table below provides a guide for the Project Brief and indicative time frame and budget.

Task	Responsibility	Time Frame	Budget Estimates
Preparation of a broad framework to identify Heritage Areas in the City and how they would be managed in the planning framework.	External Heritage Consultants with City officers	3 weeks	\$180 per hour (architect/planner) TOTAL = \$7500
Selection of a Heritage Area by the City in liaison with the external heritage consultants to be used as a case study.	External Heritage Consultants City of Vincent	2 weeks	\$130 per hour (historian) \$180 per hour (architect/planner) TOTAL = \$1,000
Community Engagement Process to seek input from the owners and occupiers of the identified Heritage Area and ideas on management and to further develop and refine the process and refinement of Heritage Area for case study and Heritage Area process.	External Heritage Consultants with City officers	6 weeks	City of Vincent Advertising and Administration - \$500 Consultants: \$ 10,500 TOTAL = \$11,000
Formal Advertising of Heritage Area identified for case study and collation of submissions.	City of Vincent	1-2 months	City of Vincent Advertising and Administration TOTAL = \$2,000

Task	Responsibility	Time Frame	Budget Estimates
Report detailing identified Heritage Area and recommendation of management.	External Heritage Consultants	1 month	\$130 per hour (historian) \$180 per hour (architect/planner) TOTAL = \$5,000
Council Consideration and Final Adoption of Heritage Area.	City of Vincent	2 months	N/A
TOTAL			\$26,500

Note: Following the completion of the above process, it is anticipated that the adopted planning framework shall be incorporated into a Local Planning Policy for use across the City for Heritage Areas identified by the community or the Council.

It is also noted that various incentive packages will also be investigated, such as subsidized architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses.

FINANCIAL/BUDGET IMPLICATIONS:

Heritage Area Investigation

There is currently no budget allocation to engage a consultant to assist with the identification and management of Heritage Areas, however given it relates to a Town Planning Scheme Policy, the below account could also be used and sufficient funds carried over into the 2013/2014 budget to complete the project. In terms of Budget Allocation, the following is to be considered:

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

‘Town Planning Scheme Amendments and Policies’

Budget Amount: \$ 80,000
Spent to Date: \$ 6,031
Balance: \$ 73,969

CONCLUSION:

In light of the above, it is considered that the amended approach will provide the Council with a sound framework to manage residential streetscapes in identified precincts within the City’s existing planning framework that will enable both the protection of identified contributing elements of a streetscape, whilst also encouraging new design that positively responds to contributing elements of the street in which it is being constructed.

As such, it is recommended that the Council adopt the Officer Recommendation to progress Heritage Areas through the approach outlined.

9.1.5 Amendment No. 109 to Planning and Building Policies – Amendments to Policy No. 3.5.13 - Percent for Public Art

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	PLA0198
Attachments:	001 – Amended Planning and Building Policy No. 3.5.13 - Percent for Public Art 002 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	T Elliott, Planning Officer (Strategic)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.5.13 - Percent for Public Art as shown in Appendix 9.1.5 resulting from the advertised version being reviewed having regard to seven (7) written submissions received during the formal advertising as shown in Appendix 9.1.5;
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.5.13 - Percent for Art in accordance with Clause 47(6) of the City's Town Planning Scheme No. 1; and
3. **NOTES** the Threshold Value will increase annually and is to be set in the 'fees and charges' at the beginning of each financial year.

Moved Cr Maier, Seconded Cr McGrath

That the recommendation, together with the following change(s), be adopted:

That Clause 1 be amended to read as follows:

- “1. **ADOPTS** the final amended version of Policy No. 3.5.13 relating to Percent for Public Art as shown in Appendix 9.1.5 resulting from the advertised version being reviewed having regard to seven (7) written submissions received during the formal advertising as shown in Appendix 9.1.5, subject to the policy being amended as follows:
- 1.1 Amend the numbering of all clauses within the Policy removing roman numerals and replacing these with the relevant numbers;
 - 1.2 Amend Clause 1iii) of the Policy as follows:
“For developments with a Total Project Cost of greater than \$50,000,000 a ~~maximum~~ minimum of \$500,000 will be invested in public art under the provisions of this policy.”
 - 1.3 Amend Clause 2iv) of the Policy as follows:
“Public Art projects cannot include consist of;”
 - 1.4 Amend Clause 3ia) of the Policy as follows:
“As per clause 1, ~~a minimum of 1% of the Total Project Cost~~” ”

Debate ensued.

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.5

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.5.13 relating to Percent for Public Art as shown in Appendix 9.1.5 resulting from the advertised version being reviewed having regard to seven (7) written submissions received during the formal advertising as shown in Appendix 9.1.5, subject to the policy being amended as follows:
 - 1.1 Amend the numbering of all clauses within the Policy removing roman numerals and replacing these with the relevant numbers;
 - 1.2 **Amend Clause 1iii) of the Policy as follows:**

For developments with a Total Project Cost of greater than \$50,000,000 a minimum of \$500,000 will be invested in public art under the provisions of this policy;
 - 1.3 **Amend Clause 2iv) of the Policy as follows:**

Public Art projects cannot consist of;
 - 1.4 **Amend Clause 3ia) of the Policy as follows:**

As per clause 1; and
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.5.13 - Percent for Art in accordance with Clause 47(6) of the City's Town Planning Scheme No. 1; and
3. **NOTES** the Threshold Value will increase annually and is to be set in the 'fees and charges' at the beginning of each financial year.

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period for amendments to Policy No. 3.5.13 - Percent for Public Art.

BACKGROUND:

At the Ordinary Meeting of Council held on 4 December 2012, a Notice of Motion was put forth by the Council requesting a review of the City's Policy No. 3.5.13 relating to Percent for Public Art in relation to the feasibility of subjecting residential developments of ten dwellings or more to contribute one percent of the Total Project Cost to Art in the City of Vincent.

A review was conducted by the City's Officers and proposed amendments were put before the Council at the Ordinary Meeting held 26 February 2013. The proposed amendments were endorsed by the Council and approved for advertising. The amendments were considered appropriate to facilitate an increased contribution to Art within the City of Vincent.

History:

Date	Comment
24 August 1998	The Council at its Ordinary Meeting adopted a Policy relating to Percent for Art.
27 March 2001	Planning and Building Policy No. 3.5.13 relating to Percentage for Public Art was adopted by the Council at its Ordinary Meeting.
9 March 2004	The City's Policy No. 1.1.8 – Percent for Art Scheme was amended.

Date	Comment
13 March 2007	The Council at its Ordinary Meeting resolved, to amend the City's Policy No 1.1.8 – Percent for Art Scheme.
24 July 2007	The Council at its Ordinary Meeting considered the City's Policy No. 1.1.8 – Percent for Art Scheme, and approved in principle the amendments.
22 April 2008	The Council at its Ordinary Meeting resolved to rescind Policy No. 1.1.8 – Percent for Art Scheme to rationalise the Policies into one document Policy No. 3.5.13 relating to Percent for Public Art.
24 June 2008	The Council at its Ordinary Meeting resolved to adopt the final version of Policy No. 3.5.13 relating to Percent for Public Art.
24 May 2011	The Council at its Ordinary Meeting resolved, to amend the City's Policy No 3.5.13 relating to Percent for Public Art.
4 December 2012	Through a Notice of Motion, the review of Policy No. 3.5.13 relating to Percent for Public Art was requested.
26 February 2013	The Council at its Ordinary Meeting approved the draft amended Policy No. 3.5.13 relating to Percent for Public Art for advertising.

Previous Reports to Council:

This matter was previously reported to the Council on 26 February 2013.

The Minutes of Item 9.1.9 from the Ordinary Meeting of Council held on 26 February 2013 relating to this report is available on the City's website at the following link:

http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes

DETAILS:

Following the advertising period endorsed at the Ordinary Meeting of Council on 26 February 2013, two Policy changes are proposed as follows:

Policy Changes Proposed

Clause Amendments	Comments
Threshold Value means the amount determined by the Council at the commencement of each financial year setting the minimum amount for which developments are required to contribute to Percent for Art. The amount is determined annually and set out in the City's Prescribed 'Fees and Charges'. <u>The Threshold Value will be set as \$1,000,000 until 30 June 2013. After 1 July 2013 the Threshold Value will be determined in the City's 'Fees and Charges'.</u>	As the 'Fees and Charges' for 2012/2013 have been set, the Threshold Value will need to be defined in the Policy with the intention of removing this provision following the insertion of a Threshold Value in the 'Fees and Charges' for 2013/2014 incorporating an annual increase in the Consumer Price Index. The determination of the 'Threshold Value' at \$1,000,000 is to be consistent with the value that existed prior to Policy Amendment No. 109. Changes to the amount of the 'Threshold Value' were not advertised during the formal advertising period, therefore it is recommended that this value does not change.
For developments with a Total Project Cost of greater than \$50,000,000 a minimum <u>maximum</u> of \$500,000 will be invested in public art under the provisions of this policy.	A maximum contribution amount of \$500,000 is appropriate to include as it will defer any contentious issues arising from justification of contribution amounts for large scale projects.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
--------------------------	----	-------------------------------------	-----

The amended Policy was advertised in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1.

Consultation Period: 28 days

Consultation Type: Four adverts in local paper, notice on the City's website, copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre, letters to Western Australian Planning Commission, and other appropriate government agencies as determined by the City of Vincent.

A total of seven (7) submissions were received during the four week consultation period as follows:

Government Authority Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	7	100%
Total	7	100%

Community Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	-	-
Total	0	-

Total Submissions Received

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	7	100%
Total	7	100%

Comments with Position: 'Not Stated'

Issue	Comment
<p>The State Governments Percent for Art Scheme uses an allocation of a percentage (up to one percent) of the estimated total cost of the State's Capital Works.</p> <p>It is unclear whether City's Policy relates to all development, including state infrastructure projects, or the development of commercial and/or residential projects.</p> <p>Currently, Main Roads does include public art in some of its projects, following public consultation and where road safety is not compromised, however these amounts can be less than one percent of the project cost.</p> <p>It is recommended that the City's Policy is modified to provide clarity for State infrastructure projects and align with the Department of Culture and the Arts by modifying the 'minimum of one per cent (1%)' to up to one per cent.</p>	<p>The projects which are subject to the State Governments Percent for Art Scheme are all public works projects for which a variation up to 1% is necessary for the appropriate spread of resources. The City of Vincent predominately receives development applications for projects which are privately owned.</p> <p>The Policy relates to all development applications submitted to the City of Vincent which meet the criteria set out in Clause 1 of Policy No. 3.5.13 relating to Percent for Public Art. Clause 33(b) of the City's Town Planning Scheme No. 1, <i>Exemption from Planning Approval</i>, states that planning approval is not required for, 'building or other work carried out by the Council, a public authority or a Commonwealth agency in connection with the maintenance or improvement of a public street'.</p>

Issue	Comment
<p>Officers at the Department of Treasury and Finance have previously advised that whilst public art should be considered as part of the broader objectives of sustainable communities, that when allocating scarce resources consideration should be given to the benefits of public art as opposed to other priorities such as safer roads, and more broadly community priorities such as schools and hospitals.</p>	<p>Clause 1) of the Policy has been set at a minimum of 1% as this provides an equitable amount for all applicants rather than varying the contribution amount for each application.</p> <p>The variation up to one percent is due to the 'sliding scale' which has no apparent pattern and is governed by Cabinet Minute 4.4 "Art of the State" since 28 May 1997. Cabinet Minutes exist with a 30 year embargo which creates difficulties in modelling a 'sliding scale' for the City.</p> <p>A maximum contribution amount has also been added to clause 1 of the Policy for large scale projects to ensure resources are appropriately dispersed.</p>

LEGAL/POLICY:

- City of Vincent Town Planning Scheme No. 1 and associated Policies;
- City of Vincent Community Consultation Policy 4.1.5.

RISK MANAGEMENT IMPLICATIONS:

Medium: It is important that the City's Local Planning Policies are reviewed regularly to ensure that they are consistent with the requirements of the Western Australian Planning Commission, and align with the City's strategic direction. It is also important that a Local Planning Policy provides a clear and transparent planning tool when assessing and determining applications for Planning Approval.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Community Plan 2011-2021* Objectives 1.1.1;

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

SUSTAINABILITY IMPLICATIONS:

ENVIRONMENTAL
Nil.

SOCIAL
The current policy has significant impacts to social sustainability in the City. The amendments included in this report would continue to create work for local artists who provide cultural diversity which can be enjoyed and celebrated by the community.

ECONOMIC
<p>The increase in work for artists provided by this policy will boost the local economy.</p> <p>To provide a fair Threshold Value the Consumer Price Index has been employed as a tool to inform the Council of the annual increase in construction costs therefore determining an equitable value for which applicants are subject to contribute to Percent for Public Art.</p>

FINANCIAL/BUDGET IMPLICATIONS:

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

Budget Amount:	\$80,000
Spent to Date:	<u>\$ 4,684</u>
Balance:	\$74,556

COMMENTS & CONCLUSION:

Planning Policy No. 3.5.13 relating to Percent for Public Art has added cultural and social value to the City of Vincent through various contributions of art. It is considered that the amendments are appropriate to continue to facilitate contributions of art in appropriate locations in the City.

In light of this, it is recommended that the Council adopts the final draft amended Policy No. 3.5.13 relating to Percent for Public Art in accordance with the Officer Recommendation and advertise the final Policy in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City's Policy No. 4.1.5 relating to Community Consultation. Following the adoption of the 2013/2014 Fees and Charges, Policy 3.5.13 will be amended to remove the set Threshold Amount of \$1,000,000.

9.1.6 Amendment No. 115 to Planning and Building Policies – Draft Policy No. 3.5.4 - Substantial Commencement of Development

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	PLA0257
Attachments:	001 – Draft Policy No. 3.5.4 - Substantial Commencement of Development		
Tabled Items:	Planning Advice from Planning Solutions dated 6 May 2013		
Reporting Officer:	R Rasiah, Coordinator Statutory Planning		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **AUTHORISES** the Chief Executive Officer to advertise the proposed Draft Policy No. 3.5.4 - Substantial Commencement of Development as shown in Appendix 9.1.6, for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 relating to Community Consultation; and
2. After the expiry period for submissions:
 - 2.1 **REVIEWS** the Draft Policy No. 3.5.4 - Substantial Commencement of Development, having regard to any submissions; and
 - 2.2 **DETERMINES** the Draft Policy No. 3.5.4 - Substantial Commencement of Development having regard to any submissions with or without amendments, to or not to proceed with the Draft Policy.

Moved Cr Maier, Seconded Cr Harley

That the recommendation, together with the following change(s), be adopted:

That Clause 1 be amended to read as follows:

- “1. **AUTHORISES** the Chief Executive Officer to advertise the proposed Draft Policy No. 3.5.4 - Substantial Commencement of Development as shown in Appendix 9.1.6, for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 relating to Community Consultation, subject to the following; and

1.1 the following table being amended to read as follows:

Works Not Considered as "Substantial Commencement"	Comments
Demolition of a major structure such <u>as</u> a whole house or building.	Consistent with the change in definition of substantial commencement in draft City of Vincent TPS No 2 requested by the Western Australian Planning Commission and relevant Court decisions as above. Considered to be preparatory works and not actual works carried out in relation to the Planning Approval.
In the case where the planning approval involves partial demolition and alteration of an existing building.	As above.

Works Not Considered as "Substantial Commencement"	Comments
Demolition of a shed, car port, patio, fence and the like.	Considered as minor actions, in the context of overall works proposed for the site. <u>As above.</u>
Preparatory work such as surveys, geotechnical investigations/reports, Traffic Impact assessments, dewatering and the like.	Considered as preparatory works and not actual works carried out in relation to the Planning Approval. <u>As above.</u>
Lodgement/granting of a Building Permit with the City for consideration.	Considered as documentation process and not construction works. <u>As above.</u>

Debate ensued.

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.6

That the Council;

- 1. AUTHORISES the Chief Executive Officer to advertise the proposed Draft Policy No. 3.5.4 - Substantial Commencement of Development as shown in Appendix 9.1.6, for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City's Policy No. 4.1.5 relating to Community Consultation, subject to the following:**

1.1 The following table being amended to read as follows:

Works Not Considered as "Substantial Commencement"	Comments
Demolition of a major structure such as a whole house or building.	Considered to be preparatory works and not actual works carried out in relation to the Planning Approval.
In the case where the planning approval involves partial demolition and alteration of an existing building.	As above.
Demolition of a shed, car port, patio, fence and the like.	As above.
Preparatory work such as surveys, geotechnical investigations/reports, Traffic Impact assessments, dewatering and the like.	As above.
Lodgement/granting of a Building Permit with the City for consideration.	As above.

- 2. After the expiry period for submissions:**

- 2.1 REVIEWS the Draft Policy No. 3.5.4 - Substantial Commencement of Development, having regard to any submissions; and**
- 2.2 DETERMINES the Draft Policy No. 3.5.4 - Substantial Commencement of Development having regard to any submissions with or without amendments, to or not to proceed with the Draft Policy.**

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Policy No. 3.5.4 - Substantial Commencement of Development for consideration by the Council, and to seek the Council's approval to advertise the Draft Policy.

BACKGROUND:

Nil.

History:

Nil.

DETAILS:

When a Planning Approval is granted by the City, there is a statutory requirement to stipulate a time period by which the subject approved development/use is to commence. The statutory requirement is two (2) years from the date of issue of the Planning Approval which is stated in Clause 43(2) of the City's of Vincent Town Planning Scheme No 1 as follows:

"A planning approval shall lapse if the development has not been substantially commenced before the expiration of two years, or such period as the Council may determine, from the date on which the application is approved."

There are circumstances where a development is given a temporary time period to operate within, or where the time frame may be limited, e.g. twelve (12) months or a five (5) years approval period.

The purpose of this report is to obtain clear direction from the Council to give certainty to developers and the Community of what is considered as "substantial commencement" of a development which would trigger off that a planning approval has been activated, and that there is no further need to seek a new planning approval after the two (2) years period has expired.

TPS No. 1

City of Vincent Town Planning Scheme No. 1 (TPS No. 1) defines substantial commencement as follows:

"Substantial commencement" means that work or development the subject of the planning approval has begun by the performance of some substantial part of that work or development;"

Model Scheme text

The definition substantially commenced in the Town Planning Regulations 1967 –Appendix B Model Scheme Text is as follows:

"substantially commenced means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development;"

Draft TPS No. 2:

In the City of Vincent draft TPS No. 2, the proposed definition of substantially commenced is as follows:

"substantially commenced means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development and

includes the demolition of an existing building where the approval to demolish formed part of the redevelopment approval;”

The Western Australian Planning Commission has advised the City’s Officers on 14 May 2013, that they would not support the above definition in draft TPS No. 2, and have requested the definition be changed as follows, which removes demolition works:

“substantially commenced means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development;”

Planning and Development Act 2005:

Under the Planning and Development Act 2005, development is defined as follows, and includes demolition:

“development means the development or use of any land, including –

- (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;*
- (b) the carrying out on the land of any excavation or other works;*
- (c) in the case of a place to which a Conservation Order made under section 59 of the Heritage of Western Australia Act 1990 applies, any act or thing that –*
 - (i) is likely to change the character of that place or the external appearance of any building; or*
 - (ii) would constitute an irreversible alteration of the fabric of any building;”*

Planning advice dated 6 May 2013 (attached) in relation to what constitutes substantial commencement has been provided by Planning Consultant, Mr. Ben Doyle, from Planning Solutions. Some of the Court decisions in the advice are as follows:

High Court of Australia case relating to New South Wales Legislation in Day v Pinglen Pty Ltd (1981) 148 CLR 289 relating to pouring of a small area of concrete slab for a large Town House development. The High Court ruling was as follows:

“As has been said, it is a question of degree, The facts must be such as to lead naturally to the conclusion that commencement is merely evident, but is substantial, that is, of considerable amount. The statutory purpose must be borne in mind. A substantial commencement involves a commitment of resources of such proportions relative to the approved project as to carry the assurance that the work has really commenced.”

In the Drummoyne Municipal Council v Lebnan Pty Ltd (1974) 131 CLR 350, the High Court ruled that *“The test to be applied..... is whether the work or development the subject of the approval or consent has been begun by the performance of some substantial part of that work or development.”*

The Judge also stated that *“work or development is not commenced when nothing more has been done than acts preparatory to the work or development which is the subject of the approval or consent.”*

Mr Doyle has commented that *“In that case it was held that the demolition of the existing house should not be regarded as commencement of the work, but that the work of excavation was a substantial part of the work referred to in the approval, and therefore constituted ‘substantial commencement’”.*

In Hunter Development Brokerage Pty Ltd v Cessnock City Council (2004) NSWLEC 454, the Court considered the difference between mere preparation and true commencement of works. The Court ruled that survey and geotechnical works carried out were mere preparatory to the commencement of development and did not qualify to avoid the statutory lapsing of the development consent.

In conclusion, the Planning Consultant Ben Doyle has commented that *“substantially commenced”* to be valid, the applicant is required to have undertaken works to which the approval itself refers. It was also considered that *“with specific reference to the subject site, then, it is considered that (example) commencement of demolition of the existing buildings on the site may be considered to relate to any development of the subject site, rather than specifically to the development the subject of the approval, and would therefore not constitute “substantial commencement”*.

Preparatory works such as surveys or geotechnical investigation do not constitute *“substantial commencement.”*

Works Considered as Substantial Commencement	Comments
Substantial excavation of a site and/or laying of the whole slab, for the basement.	Must have a valid Building Permit for proposed works.
Laying of the slab of the whole ground floor, and not part thereof, in accordance with the planning approval plans.	Must have a valid Building Permit for proposed works.

Works Not Considered as Substantial Commencement	Comments
Demolition of a major structure such a whole house or building.	This would be in line with the change in definition of substantial commencement in draft City of Vincent TPS No 2 requested by the Western Australian Planning Commission and relevant Court decisions as above.
In the case where the planning approval involves partial demolition and alteration of an existing building.	As above.
Demolition of a shed, car port, patio, fence and the like.	Considered as minor actions, in the context of overall works proposed for the site.
Preparatory work such as surveys, geotechnical investigations/reports, Traffic Impact assessments, dewatering and the like.	Considered as preparatory works and not actual works carried out in relation to the Planning Approval.
Lodgement/granting of a Building Permit with the City for consideration.	Considered as documentation process and not construction works.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
--------------------------	----	-------------------------------------	-----

In accordance with clause 47 of the City of Vincent Town Planning Scheme No. 1 the Draft Amended Policy No. 3.5.11 will require advertising for 28 days.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

Medium: It is important that a Local Planning Policy provides a clear and transparent planning tool when assessing and determining applications for Planning Approval compliance.

The risk to the City is that a site may be left vacant with an activated Planning Approval.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Community Plan 2011-2021* Objectives 1.1.1:

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

SUSTAINABILITY IMPLICATIONS:

ENVIRONMENTAL
Nil

SOCIAL
Nil

ECONOMIC
Removes uncertainty and not result in undue delays in the construction and development industries.

FINANCIAL/BUDGET IMPLICATIONS:

Cost associated with advertising the proposed Draft Policy.

COMMENTS:

The High Court decisions give a clear direction as to how '*substantial commencement*' can be determined e.g. commencement of development works, as opposed to commencement of site works, and the non-acceptance of preparatory work as substantially commencement.

In light of the above it is requested that the Council approves advertising of the above Draft Policy relating to Substantial Commencement of Development.

9.2.2 City of Vincent Garden Competition 2013

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	CVC0007
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the recommendation of the City of Vincent Garden Awards Advisory Group as follows;
 - 1.1 the 2013 Garden Competition be continued as outlined in the report, with entries to close on Friday 27 September 2013, and the final judging to be carried out on Saturday 5 October 2013;
 - 1.2 the final judging panel to comprise of Councillors Buckels, Pintabona and Wilcox, Director Technical Services, Manager Parks & Property Services, Adele Gismondi (Water Corporation) and Verity James (2012 winner – Best Kept Verge); and
 - 1.3 the ‘Conditions of Entry’ be amended to include an additional clause advising that all City of Vincent employees/contractors residing within the City’s boundaries are ineligible to enter the competition; and
2. **AUTHORISES** the Chief Executive Officer in liaison with the Mayor to:
 - 2.1 conduct a function, inviting competition entrants/partners and sponsors to the event, to be held at the City of Vincent Administration and Civic Centre on Wednesday 13 November 2013 commencing at 6.00pm.

Moved Cr Harley, Seconded Cr Topelberg

That the recommendation, together with the following change(s), be adopted:

That Clause 1.3 be amended to read as follows:

“That the Council;

1. **APPROVES** the recommendation of the City of Vincent Garden Awards Advisory Group as follows;
 - 1.1 the 2013 Garden Competition be continued as outlined in the report, with entries to close on Friday 27 September 2013, and the final judging to be carried out on Saturday 5 October 2013;
 - 1.2 the final judging panel to comprise of Councillors Buckels, Pintabona and Wilcox, Director Technical Services, Manager Parks & Property Services, Adele Gismondi (Water Corporation) and Verity James (2012 winner – Best Kept Verge); and
 - 1.3 advising that all City of Vincent employees/contractors Councillors, the Mayor and Judges residing within the City’s boundaries are ineligible to enter the competition; and
2. **AUTHORISES** the Chief Executive Officer in liaison with the Mayor to:
 - 2.1 conduct a function, inviting competition entrants/partners and sponsors to the event, to be held at the City of Vincent Administration and Civic Centre on Wednesday 13 November 2013 commencing at 6.00pm.”

Debate ensued.

The Mover, Cr Harley advised that *she* wished to *change her* amendment and *reword it as follows*. The Seconder, Cr Topelberg agreed.

“That the Council;

1. APPROVES the recommendation of the City of Vincent Garden Awards Advisory Group as follows;
 - 1.1 the 2013 Garden Competition be continued as outlined in the report, with entries to close on Friday 27 September 2013, and the final judging to be carried out on Saturday 5 October 2013;
 - 1.2 the final judging panel to comprise of Councillors Buckels, Pintabona and Wilcox, Director Technical Services, Manager Parks & Property Services, Adele Gismondi (Water Corporation) and Verity James (2012 winner – Best Kept Verge); and
 - 1.3 advising that all City of Vincent employees/~~contractors~~ Councillors, the Mayor and Judges residing within the City’s boundaries are ineligible to enter the competition; and
2. AUTHORISES the Chief Executive Officer in liaison with the Mayor to:
 - 2.1 conduct a function, inviting competition entrants/partners and sponsors to the event, to be held at the City of Vincent Administration and Civic Centre on Wednesday 13 November 2013 commencing at 6.00pm.”

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.2.2

That the Council;

1. APPROVES the recommendation of the City of Vincent Garden Awards Advisory Group as follows;
 - 1.1 the 2013 Garden Competition be continued as outlined in the report, with entries to close on Friday 27 September 2013, and the final judging to be carried out on Saturday 5 October 2013;
 - 1.2 the final judging panel to comprise of Councillors Buckels, Pintabona and Wilcox, Director Technical Services, Manager Parks & Property Services, Adele Gismondi (Water Corporation) and Verity James (2012 winner – Best Kept Verge); and
 - 1.3 advising that all City of Vincent employees Councillors, the Mayor and Judges residing within the City’s boundaries are ineligible to enter the competition; and
2. AUTHORISES the Chief Executive Officer in liaison with the Mayor to:
 - 2.1 conduct a function, inviting competition entrants/partners and sponsors to the event, to be held at the City of Vincent Administration and Civic Centre on Wednesday 13 November 2013 commencing at 6.00pm.”

PURPOSE OF REPORT:

The purpose of this report to seek approval for the dates and format of the 2013 Garden Competition as outlined by the City of Vincent Garden Competition Advisory Group.

BACKGROUND:

Since the City's inception in 1995 there has been an Annual Spring Garden Competition which is open to all owners/occupiers who have lived within the City's boundaries for at least six (6) months.

This event has been a great success, with in excess of one hundred (100) category entries received each year. Residents are keen to be a part of the competition and contact staff throughout the year requesting information in relation to the competition.

DETAILS:

The City of Vincent Garden Awards Advisory Group met on Monday 22 April 2013 to discuss the format and to finalise dates for the 2013 City of Vincent Garden Competition. Those members not present at the meeting were e-mailed any recommendations or changes to the format outlined at the above meeting and requested to comment prior to this report being presented to the Council.

'Green Thumbs Suggestion Box'

Councillor Topelberg came up with the idea of introducing a 'green thumbs suggestion box' at last year's awards night and this was well received by attendees who provided comments in relation to the competition and suggestions on how fellow gardeners could improve their own 'patch'.

Suggestions/notes forwarded were as follows:

- *City's employees should not be permitted to enter the competition – 4 responses*

Following discussion at the City of Vincent Garden Awards Advisory Group meeting it was recommended that the conditions of entry be changed to reflect that in future, City of Vincent employees/contractors residing within the City's boundaries are ineligible to enter the competition.

- *Use mulch, the importance of using mulch and enriching the soil regularly – 3 responses*

In view of the above suggestion staff will focus on this issue and provide a display at this year's awards outlining the benefits of mulching and soil enrichment etc.

- *Categories should be changed so that balconies can be included – 2 responses*

Following discussion at the City of Vincent Garden Awards Advisory Group changes to the categories have been recommended as outlined below.

- *Suggest trophy be changed and a 'classy' plaque provided that can be attached to courtyard wall etc – 2 responses*

Staff will investigate this suggestion. The same trophy has been used for the past seven (7) years and a change is required and this idea has considerable merit.

- *The winners each year should have the opportunity to be part of the following years judging panel. – 1 response*

A winner is already chosen each year from one of the categories to assist in the following years final judging.

Conditions of Entry

In view of the above comments received and following discussions with members of the City of Vincent Garden Awards Advisory Group, it has been recommended that the 'Conditions of Entry' are amended to reflect that that in future City of Vincent employees/contractors residing within the City's boundaries are ineligible to enter the competition.

Categories

Last year's categories and the number of individual entries received for each respective category is as follows:

- | | |
|--|------------|
| • Best Kept Street/Part Street | 10 entries |
| • Best Residential Front Garden | 25 entries |
| • Best Kept Verge | 17 entries |
| • Catchment Friendly Garden | 12 entries |
| • Best Courtyard and/or Rear Garden | 17 entries |
| • Best Front Courtyard or Balcony Garden | 1 entry |
| • Best Vegetable or Food Garden | 17 entries |

As noted by attendees at last year's function and recommended by the City of Vincent Garden Awards Advisory Group, the names of categories for the 2013 Garden Competition have been changed, which should result in the minimum number of entries; six (6), being received in all categories.

This will therefore enable residents with balcony gardens to enter even if there is only one (1) entrant as was the case in 2012. The categories for 2013 are listed below:

- Best Kept Street/Part Street;
- Best Residential Front Garden;
- Best Kept Verge;
- Catchment Friendly Garden;
- Best Courtyard or Balcony Garden;
- Best Residential Rear Garden; and
- Best Vegetable or Food Garden;

Judging

As in previous years it is again recommended that the preliminary judging will again be undertaken by the City's horticultural staff and preliminary judging for the Catchment Friendly Garden will be undertaken by Claise Brook Catchment Group (CBCG) members, the Parks Services Technical Officer and the Project Officer – Parks & Environment.

Final judging will be undertaken on the morning of Saturday 5 October 2013 and it is proposed that the 2013 judging panel will consist of members of the City of Vincent Garden Awards Advisory Group, Adele Gismondi from the Water Corporation and a community judge.

- Cr Matt Buckels;
- Cr John Pintabona;
- Cr Julia Wilcox;
- Director Technical Services;
- Manager Parks & Property Services;
- Adele Gismondi – Water Corporation; and
- Verity James (*Winner- 2012 Best Kept Verge*).

Function/Awards/Prize Money

There were no changes recommended to the prize money allocations over the categories listed. The Catchment Friendly Garden category is sponsored by the Water Corporation through the CBCG, and their sponsorship has again been sourced.

The prize money allocations for the 2013 Garden Competition have been recommended by the City of Vincent Garden Awards Advisory Group as follows:

Best Residential Front Garden Catchment Friendly Garden

- First Prize \$500 plus trophy
- Second Prize \$300 plus certificate
- Third Prize \$200 plus certificate

Best Residential Rear Garden Best Courtyard or Balcony Garden Best Vegetable Garden or Food garden Best Kept Verge

- First Prize \$250 plus trophy
- Second Prize \$150 plus certificate
- Third Prize \$100 plus certificate

Best Kept Street/Part Street and Mayor's Encouragement Award

To encourage owner/occupiers to tidy up their streets prior to the final judging a flyer will again be sent out to all houses within the street entered. A specialised street sign will again be provided for the Best Kept Street/Part Street category and it is envisaged where appropriate that a small street party/BBQ could be arranged in the event that a street wins this award.

A quality pair of Swiss made "Felco" secateurs will be presented for the Mayor's Encouragement Award.

As in previous years, the awards presentation night will also include a number of raffles or give-away prizes provided by the numerous sponsors.

Sponsorship

No additional sponsors have been engaged at this time; however, officers are working on attracting further sponsorship continually throughout the year.

CONSULTATION/ADVERTISING:

An advertisement/entry form will be placed in local community papers during August/September 2013 and entry forms have been included in the "Mayor's Message" with the Council rates notices.

Posters have been placed at various locations around the City advertising the competition and entry forms are also available at the front desk of the Administration Civic Centre, City's Library and via the City's website.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

"Community Development and Wellbeing"

Objective 3.1: Enhance and promote community development and wellbeing.

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:

In keeping with the City's commitment to environmental sustainability and waterwise principles, all entries are being evaluated in accordance with waterwise criteria including the use of native plants, water saving measures and demonstrated controlled use of fertilisers and pesticides.

FINANCIAL/BUDGET IMPLICATIONS:

The estimated costs associated with the 2013 City of Vincent Garden Competition are as follows:

• Cash prizes	\$ 4,000
• Function	\$ 3,800
• Trophies	\$ 1,500 (new stainless steel plaque type)
• Photography	\$ 1,000
• Certificates	\$ 250
• Advertising	\$ 1,200
• Street sign	\$ 450
TOTAL	<u>\$12,200</u>

A total of \$15,000 has been allocated in the City's 2013/2014 draft budget.

In addition to this amount, \$1,250 will be received from the Water Corporation for the Catchment Friendly Garden prize money and trophy, and as in previous years up to \$2,000 is expected in cash donations from sponsors who have been associated with the competition.

COMMENTS:

It is therefore recommended that the Council approves the 2013 Garden Competition as detailed within the report, with entries to close on Friday 27 September 2013.

9.3.1 Investment Report as at 30 April 2013

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	FIN0033
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	B C Tan Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	M Rootsey, Director Corporate Services		

CORRECTED OFFICER RECOMMENDATION:

“That the Council **NOTES:**

- 1.** the Investment Report for the month ended 30 April 2013 as detailed in Appendix 9.3.1; **and**
- 2.** **that the investments in the National Australia Bank and Suncorp Bank were temporarily over the limits set by the City’s Investment Policy.”**

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

COUNCIL DECISION ITEM 9.3.1

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

CORRECTED MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

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

BACKGROUND:

Interest from investments is a significant source of funds for the City, where surplus funds are deposited in money market for various terms. Details are attached in Appendix 9.3.1.

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

DETAILS:

Total Investments for the period ended 30 April 2013 were \$13,011,000 compared with \$17,111,000 at 31 March 2013. At 30 April 2012, \$24,511,000 was invested.

Investment comparison table:

	2011-2012	2012-2013
July	\$13,511,000	\$18,211,000
August	\$24,011,000	\$30,511,000
September	\$22,011,000	\$28,511,000
October	\$21,511,000	\$26,711,000
November	\$21,011,000	\$24,711,000
December	\$18,011,000	\$20,711,000
January	\$25,011,000	\$20,711,000
February	\$23,811,000	\$18,711,000
March	\$27,111,000	\$17,111,000
April	\$24,511,000	\$13,011,000

Total accrued interest earned on Investments as at 30 April 2013:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$584,000	\$535,000	\$339,652	58.16
Reserve	\$535,000	\$460,000	\$522,440	97.65

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

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

COMMENT:

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

The funds invested have decreased from previous period due to payment to creditors.

The report comprises of:

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

9.4.2 Physical Activity Plan 2013 – Progress Report

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	CMS0084
Attachments:	001 – Physical Activity Plan snapshot		
Tabled Items:	Nil		
Reporting Officers:	A Birch, Senior Community Development Officer J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Progress Report for the Physical Activity Plan;
2. **APPROVES** the proposed actions under the Physical Activity Plan for the 2013/2014 financial year; and
3. **NOTES** that a report will be submitted to Council in April 2014, which advises of the anticipated outcomes of the 2013/2014 financial year and the plan for the forthcoming 2014/2015 financial year.

Moved Cr McGrath, **Seconded** Cr Topelberg

That the recommendation, together with the following change(s), be adopted:

“That a new clause 4 be added as follows:

That the Council;

1. **RECEIVES** the Progress Report for the Physical Activity Plan;
2. **APPROVES** the proposed actions under the Physical Activity Plan for the 2013/2014 financial year; ~~and~~
3. **NOTES** that a report will be submitted to Council in April 2014, which advises of the anticipated outcomes of the 2013/2014 financial year and the plan for the forthcoming 2014/2015 financial year. ; and
4. **REQUESTS** that the review of the Physical Activity Plan be conducted internally by the City’s Officers in liaison with the Healthy Vincent Advisory Group.”

Debate ensued.

AMENDMENT

Moved Cr McGrath, **Seconded** Cr Topelberg

“That Clauses 1.2A, 1.1D and 1.4B in the Physical Activity Plan be amended to read as follows:

- 1.2A **Provide information on physical activity, sporting clubs, POS and privately operated physical activity opportunities in each place based area, through the COV website and COV newsletters and regularly update this with notices of special events and activities at the City’s Clubs and Associations;**

- 1.4B **Work with interested sporting clubs and DSR to develop come and try opportunities and other events or initiatives aimed at increasing resident use of Club Facilities and involvement in these Clubs. Promote these as a partnership between the COV and sporting clubs; and**
- 1.1D **Community Development to promote physical activity programs that are appropriate for a culturally diverse community and to liaise regularly with Clubs and Associations involving physical activity to facilitate increased resident involvement.**

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.4.2

That the Council;

1. **RECEIVES** the Progress Report for the Physical Activity Plan;
 - 1.1 **Clauses 1.2A, 1.1D and 1.4B in the Physical Activity Plan be amended to read as follows:**
 - 1.1D **Community Development to promote physical activity programs that are appropriate for a culturally diverse community and to liaise regularly with Clubs and Associations involving physical activity to facilitate increased resident involvement;**
 - 1.2A **Provide information on physical activity, sporting clubs, POS and privately operated physical activity opportunities in each place basked area, through the COV website and COV newsletters and regularly update this with notices of special events and activities at the City's Clubs and Associations; and**
 - 1.4B **Work with interested sporting clubs and DSR to develop come and try opportunities and other events or initiatives aimed at increasing resident use of Club Facilities and involvement in these Clubs. Promote these as a partnership between the COV and sporting clubs; and**
2. **APPROVES** the proposed actions under the Physical Activity Plan for the 2013/2014 financial year;
3. **NOTES** that a report will be submitted to Council in April 2014, which advises of the anticipated outcomes of the 2013/2014 financial year and the plan for the forthcoming 2014/2015 financial year; and
4. **REQUESTS** that the review of the Physical Activity Plan be conducted internally by the City's Officers in liaison with the Healthy Vincent Advisory Group.

PURPOSE OF REPORT:

To provide the Council with an update on what actions have been completed in the 2012/2013 financial year with respect to the Physical Activity Plan and to inform the Council on the proposed actions for the 2013/2014 financial year.

BACKGROUND:

At the Ordinary Meeting of Council held on 20 October 2009, it was resolved as follows:

"That the Council;

- (i) RECEIVES the Physical Activity Strategic Plan 2009-2013 as shown in Appendix 9.3.5;*
- (ii) ADOPTS IN PRINCIPLE the strategies and timelines as recommended in the Physical Activity Strategic Plan 2009-2013;*
- (iii) AUTHORISES the Chief Executive Officer to establish a Physical Activity Working Group to implement the plan; and*
- (iv) ADVERTISE the Physical Activity Strategic Plan 2009-2013 for a period of twenty-one (21) days for public comment."*

Under the Delegated Authority Reports 16 December 2009 – 8 February 2010, the following resolution was adopted:

"That the Council;

- (i) NOTES the community consultation submissions on the Physical Activity Strategic Plan 2009-2013;*
- (ii) ADOPTS the strategies and timeline as recommended in the Physical Activity Strategic Plan 2009-2013; and*
- (iii) REQUESTS a report by April 2010 detailing the five year (5) program commencing in 2010/2011, of changes that will be implemented in each of the Town's parks and recreation areas as a result of the adoption of the 'Physical Activity Strategic Plan' in the 'Parks and Reserve Strategy/Recreational Needs Analysis' and the 'Playground Upgrade Program'."*

At the Ordinary Meeting of Council held on 7 December 2010, it was resolved as follows:

"That the Council;

- (i) RECEIVES the report relating to the adoption of the Physical Activity Strategic Plan, the Parks and Reserve Strategy/Recreational Needs Analysis and the Playground Upgrade Program;*
- (ii) REQUESTS a report in March 2011 which advises of the anticipated outcomes of the current financial year and the plan for the forthcoming financial year in order to assist the Council in formulating the budget for 2011/12; and*
- (iii) INVESTIGATES the opportunities for natural based play area to be included along but not restricted to the Wetlands Heritage Trail."*

An Information Bulletin was presented to the Council on 5 April 2011 with a progress report on the Physical Activity Strategic Plan, detailing all the actions that had been completed to date and the upcoming strategies to implement.

Since the development of the Physical Activity Strategic Plan, a number of the strategies have been undertaken and completed including:

- Introductory sessions for seniors on the outdoor gym equipment;
- Numerous invitation sessions to begin walking groups, with poor responses or lack of commitment;
- Implementation of workplace wellness programmes for Council staff;
- Implementation of Wild Wetlands programme;
- Support to local Primary Schools to run 'Walk Safely to School Day' events;
- Ongoing implementation of the 'Energywise' programme at Beatty Park;
- Ongoing implementation of the 'Paws on the Path' programme;
- Running of Spring 'Step Out in Vincent' walks;
- Ongoing provision of information on recreation, physical activity, sporting clubs and privately operated opportunities;
- Promotion of 'good news' physical activity events or participation stories in the media;
- Frequent displaying of physical activity information in the City of Vincent Library and Local History Centre;
- Establishment of playground equipment that allows access for people with disability within the City;
- Shower facilities, lockers, iron and ironing board and dryer available at City of Vincent Administration and Civic Centre for end of route facilities for active transport;
- Nature play GPS activities and events;
- Bike Week events held;
- Sponsorship of numerous physical activity events such as Giro D'Perth 2013;
- Implementation of monthly 3on3 basketball competitions at Weld Square;
- Development of TravelSmart guides for the City of Vincent;
- Installation of Ping Pong tables at Weld Square; and
- Consultation and plans to develop nature play spaces within the City.

DETAILS:

Physical Activity Strategic Plan Update - 2012/2013 financial year

Ongoing wellness initiatives for City staff

In conjunction with the City's Manager Human Resources, ongoing wellness initiatives are available for the City's staff such as after work yoga classes, frequent suggestions for being active in the workplace, the provision of health reviews and annual Health Fairs. City staff are also provided discounted membership fees to Beatty Park Leisure Centre.

Hyde Park Water Playground

The opening of the Hyde Park Water Playground on Sunday, 14 October 2012 was a key moment for the physical activity endeavours at Hyde Park and for a young target group. This event had approximately 400 in attendance, children enjoying the use of the water playground and the family activities available on the day.

Paws on the Path

Ongoing promotion and provision of the free dog training and dog walking programme with a consistent attendance of up to ten (10) dogs each week.

Bike Week 2013

Bike Week 2013 was promoted by the City of Vincent with a Community Bike Breakfast held at Banks Reserve on Tuesday, 19 March 2013. The aim of this event was to encourage and promote cycling to work or school through the provision of a breakfast at Banks Reserve, along the cycle path. Approximately 400 cyclists passed through and stopped for breakfast between 6:30am and 9:30am.

Step Out in Vincent 2012

Step Out in Vincent was held again between August and November 2012 with walks such as the Nyoongar Nature Walk, Heritage Walk and Literacy Day Walk being included to promote walking within Vincent.

3on3 Basketball Competitions

At the Ordinary Meeting of Council held on 12 March 2013, it was resolved:

"That the Council APPROVES;

- 1. the monthly "3on3" basketball competitions at Weld Square as an ongoing programme that fits in with the City's Physical Activity Plan; and*
- 2. of the competition budget and fee, as detailed in the report."*

In keeping with this resolution, the City has held three (3) 3on3 basketball competitions at Weld Square from 2pm to 6pm on a Sunday afternoon. This has been well received with full competitions signing up and non players also attending on the day to enjoy the atmosphere.

Community Services Directory

The Community Services Directory has been updated throughout the year, as required. A new feature placed on the City's website in relation to the Directory is an online form for Community Services to request to be listed in our Directory.

Travel Smart Guides

The City of Vincent had Travel Smart Guides developed and available to community members. These Travel Smart Guides highlight all relevant information for those wishing to engage in active transport, such as Perth Bicycle Network Continuous Signed Routes, Principle Shared Path; Local Bicycle Friendly Street; Paths to be shared by cyclists and pedestrians and so on.

Installation of Table Tennis table – Weld Square

A table tennis table will be installed at Weld Square in June 2013 for public use. In conjunction with NAIDOC Week, it will be painted by local Indigenous artists. The aim of this table tennis table is to encourage physical activity in a form not normally promoted or thought of as physical activity and at a location that, in the past, has not been commonly used for physical activity.

Nature Play

A forum was held on Saturday, 13 April 2013 in the City of Vincent Administration and Civic Centre Function Room. With several industry professionals presenting to attendees and worksheets being completed on the day, substantial feedback was received on what residents would like to see in their local area. This forum is being followed up with an online survey and further consultation with Primary Schools in the area.

Physical Activity Strategic Plan Strategies - 2013/2014 financial year

The following are key strategies planned for the 2013/2014 financial year:

Review of the Physical Activity Plan

The current Physical Activity Strategic Plan (2009-2013) expires at the end of 2013 and a review of the Plan will be due. It is planned to advertise a 'Request for Quotation' in November 2013 to coordinate the review process for the City's Physical Activity Strategic Plan (2014-2018). The successful applicant will be required to explore what actions can be implemented to raise awareness and increase participation in physical activity. The Physical Activity Strategic Plan (2014-2018) will have objectives and actions over a five-year period and will prioritise current and new initiatives through a multi-faceted consultation process with measurable goals, appropriate resource allocation and timeframe for action.

City of Vincent Physical Activity Directory

The aim of this project is to develop a directory of all physical activity opportunities within the City of Vincent to allow residents and visitors to easily identify what is available for them. It will include lists and descriptions of all recreation and sporting opportunities such as parks and reserves, leisure centres, sporting clubs, walking and cycling trails and health and wellbeing practices such as physiotherapists.

Due to this information quickly changing, this directory would be in soft copy form and available online as well as in print form, upon request.

3on3 Basketball Competitions

In keeping with the Council resolution on 12 March 2013, the City will continue to hold monthly 3on3 basketball competitions. These competitions are planned to be held on the last Sunday of each month from 2pm to 6pm at Weld Square.

Active Vincent Day

It is proposed to hold a 'Healthy Vincent Day' whereby residents are able to come to one central location to review and make plans to change their level of activeness. Health professionals such as personal trainers, physiotherapists and dieticians will be available on the day to discuss individual's needs and develop necessary plans. Health organisations such as the Heart Foundation, Cancer Council, Diabetes WA and Act Belong Commit will be contacted to attend and display and make available information on preventing disease onset. Representatives from a variety of sporting clubs will also be available to promote their sport and provide opportunities for attendees to 'have a go'.

Increased role in promoting and assisting local sporting clubs

The City endeavours, through both the Active Vincent Day and the Physical Activity Directory, to assist local sporting clubs to increase their membership and participation numbers. Communication with local sporting clubs will be open and any additional suggestions received will be considered through the Healthy Vincent Advisory Group.

City of Vincent Physical Activity Challenge

The City of Vincent Physical Activity Challenge is a new project planned for the 2013-2014 financial year. The aim of the Challenge is to increase participation in physical activity by ticking off a 'bucket list' of physical activity challenges such as participating in a fun run, bike ride along a route that one has not been to before, and take an exercise class. For residents that register and complete the Challenge, a prize will be awarded so as to encourage the uptake of the Challenge.

Tai Chi in the Park

This project aims to encourage a therapeutic start to the morning with complimentary, walk-in Tai Chi available in Oxford Street Reserve once per week from 7am. To determine a suitable morning for this to occur, preliminary consultation will take place in the mornings to those that pass by Oxford Street Reserve to gauge interest in participating and on what day/s.

Skateable Paths

The City is in plans with the company 'Skate Sculpture' to develop skateable paths at Loton Park. An amount of \$150,000 has been listed for consideration on the 2013/2014 Draft Budget.

CONSULTATION/ADVERTISING:

All events and activities that are held as part of the Physical Activity Plan will be promoted through the City's website, Facebook page and through local media outlets.

The 'Request for Quotation' will be advertised through local media outlets, on social media, the City's website and through a range of relevant Community networks.

The Healthy Vincent Advisory Group, as a planned strategy of the Plan and a resolution by Council on 20 October 2009, has been implemented with the inaugural meeting held on Thursday, 20 December 2012. The Advisory Group is active so as to review information and provide feedback and suggestions on the Physical Activity Plan, and other health related projects and strategies.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: Upon careful assessment of the risk management matrix and consideration of these programmes, it has been determined that they are low risk.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016*, Objective 3 states:

"Community Development and Wellbeing

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

SUSTAINABILITY IMPLICATIONS:

The initiatives will assist and support participants to explore physical activity opportunities within the City and identify and continue their health and wellbeing endeavours.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$25,000 has been listed for consideration on the 2013/2014 Draft Budget.

COMMENTS:

The Physical Activity Strategic Plan is a well developed plan with a variety of significant strategies aimed to increase physical activity levels for City of Vincent residents. With the current Strategic Plan coming to an end, a new Plan is required to be developed to continue with the promotion and enabling of physical activity within the City.

9.4.3 No. 34 (Lot 1) Cheriton Street, Perth – Progress Report No. 3

Ward:	South	Date:	17 May 2013
Precinct:	EPRA; P15	File Ref:	PRO5055
Attachments:	001 – Memorandum of Understanding 002 – Architects Scope of Works (City of Vincent) 003 – Provisional Critical Path (Central Institute of Technology) 004 – Cheriton Street Property Advisory Group Minutes		
Tabled Items:	Nil		
Reporting Officers:	L Devereux, Community Development Officer J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

CORRECTED OFFICER RECOMMENDATION:

“That the Council;

1. **RECEIVES** the Progress Report No. 3 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 **Progress** the partnership with the Central Institute of Technology by entering into a Memorandum of Understanding as shown in Appendix A for the purposes of defining roles and responsibilities of key stakeholders, and engaging building works for the property, as outlined in the Architects Scope of Works at Appendix B; and the Central Institute of Technology Provisional Critical Path list, as shown in Appendix C.; and
 - 2.2 **Request** a longer term tenure of up to ten (10) years from the Department of Regional Development and Lands; and
3. **NOTES** that a further report will be presented to the Council once further work on the project has been carried out as outlined in the report; and
4. **NOTES** that the City will be applying for an Organisational Development Grant and a Capital Funds Grant from Lotterywest prior to the end of May 2013.”

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

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation, together with the following change(s), be adopted:

“That a new clause 5 be added as follows:

That the Council;

1. **RECEIVES** the Progress Report No. 3 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 **Progress** the partnership with the Central Institute of Technology by entering into a Memorandum of Understanding as shown in Appendix A for the purposes of defining roles and responsibilities of key stakeholders, and engaging building works for the property, as outlined in the Architects Scope of Works at Appendix B; and the Central Institute of Technology Provisional Critical Path list, as shown in Appendix C.; and

- 2.2 Request a longer term tenure of up to ten (10) years from the Department of Regional Development and Lands; and
3. NOTES that a further report will be presented to the Council once further work on the project has been carried out as outlined in the report; and
5. APPROVES IN PRINCIPLE the management of the facility by the Norwood Neighbourhood Association Inc., once the building is complete, subject to negotiating a Lease Agreement to the satisfaction of the City's Chief Executive Officer.

Debate ensued.

Cr McGrath departed the Chamber at 7.25pm.

Debate ensued.

AMENDMENT 1

Moved Cr Maier, Seconded Cr Pintabona

"That Clause 2.1 be amended to read as follows:

- 2.1 Progress the partnership with the Central Institute of Technology by entering into a Memorandum of Understanding as shown in Appendix A for the purposes of defining roles and responsibilities of key stakeholders, and engaging building works for the property, as outlined in the Architects Scope of Works at Appendix B; and the Central Institute of Technology Provisional Critical Path list, as shown in Appendix C, subject to the Memorandum of Understanding including a date by which the works are to be completed, and that date allowing sufficient time for the property to be functioning to meet the requirements of the Management Order from the Department of Regional Development and Lands; and"

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)
(Cr McGrath was absent from the Chamber and did not Vote.)

Debate ensued.

Cr McGrath returned to the Chamber at 7.26pm.

Debate ensued.

AMENDMENT 2

Moved Cr Maier, Seconded Cr Harley

"That Clause 2.2 be deleted as follows:

- ~~2.2 Request a longer term tenure of up to ten (10) years from the Department of Regional Development and Lands; and~~

Debate ensued.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.4.3

That the Council;

1. **RECEIVES** the Progress Report No. 3 relating to No. 34 (Lot 1) Cheriton Street, Perth;
2. **AUTHORISES** the Chief Executive Officer to:
 - 2.1 **Progress** the partnership with the Central Institute of Technology by entering into a Memorandum of Understanding as shown in Appendix A for the purposes of defining roles and responsibilities of key stakeholders, and engaging building works for the property, as outlined in the Architects Scope of Works at Appendix B; and the Central Institute of Technology Provisional Critical Path list, as shown in Appendix C, subject to the Memorandum of Understanding including a date by which the works are to be completed, and that date allowing sufficient time for the property to be functioning to meet the requirements of the Management Order from the Department of Regional Development and Lands; and
3. **NOTES** that a further report will be presented to the Council once further work on the project has been carried out as outlined in the report;
4. **NOTES** that the City will be applying for an Organisational Development Grant and a Capital Funds Grant from Lotterywest prior to the end of May 2013; and
5. **APPROVES IN PRINCIPLE** the management of the facility by the Norwood Neighbourhood Association Inc., once the building is complete, subject to negotiating a Lease Agreement to the satisfaction of the City's Chief Executive Officer.

PURPOSE OF REPORT:

To provide an update on the status of No. 34 (Lot 1) Cheriton Street, Perth.

BACKGROUND:

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

Ordinary Meeting held on 27 July 2010

The Council resolved to commence including land ceded from various Local Government authorities into the Town Planning Scheme No. 1, with reporting to the Council on the commencement process in September 2010.

28 July 2010

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

Ordinary Meeting held on 10 August 2010

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

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

20 August 2010

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

27 August 2010

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

2 September 2010

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

30 September 2010

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

11 October 2010

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

27 October 2010

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

21 April 2011

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

May 2011

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

2 June 2011

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

13 June 2011

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

10 November 2011

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

6 December 2011

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

27 March 2012

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

11 June 2012

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

1 November 2012

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

Ordinary Meeting of Council held on 18 December 2012

The Council resolved as follows:

"That the Council;

1. *RECEIVES the Progress Report No. 2 relating to No. 34 (Lot 1) Cheriton Street, Perth;*
2. *ENDORSES the course of action as listed in the Provisional Critical Path submitted by the Central Institute of Technology, as shown in Appendix 9.4.8A;*
3. *AUTHORISES the Chief Executive Officer to;*
 - 3.1 *enter into negotiations with the Central Institute of Technology to progress a partnership through a Memorandum of Understanding (Appendix A) for the purposes of engaging building works for the property, as outlined in the Provisional Critical Path list, as shown in Appendix 9.4.8A;*
 - 3.2 *engage professional trades to carry out the immediate required works as listed in the Provisional Critical Path (Appendix C) prior to the Central Institute of Technology commencing;*
4. *APPROVES the Community Garden and Cheriton Outdoor Micro Cinema proposals submitted by the Norwood Neighbourhood Association, as shown in Appendix 9.4.8B and 9.4.8C, on a trial basis with a review to be conducted in six (6) months; and*
5. *NOTES that a further report will be presented to the Council once further work on the project has been carried out as outlined in the report."*

DETAILS:

The Cheriton Street Property Advisory Group met on 24 April 2013 to discuss the architectural plans to decide on the footprint of the restoration works. The Group decided to limit the expansion of the house at this stage in an effort not to increase the cost of the work unduly and keeping the historic integrity of the house. The outdoor spaces need to allow for flexibility pending the ongoing and evolving use of the facility.

They also discussed the use of the facility and how the building would be governed, managed and operated once the works were completed. Partnerships to add social value to the facility were discussed and also the need to access further funding to provide a high level of disability access and capital equipment/furniture and landscaping works.

Progress on the Building Works

A GANNT chart has been developed to illustrate the project schedule including timelines and work breakdown. An architect has been engaged for the project to develop plans and scope of works. Security gates have been erected and security patrols commenced. The veranda has been demolished and electrical and roofing works have commenced. These works are expected to be completed 31 May 2013. The Central Institute of Technology students will be ready to commence the "Live Works" stage of the project in June 2013.

Community and Partnership Use of the Facility

The Group agreed the facility is to operate on a neighbourhood/resource centre model and include aspects of a social enterprise venture (where appropriate according to funding guidelines). Each group discussed their potential use for activities and their capacity to add social value to the facility.

Norwood Neighbourhood Association (NNA) expressed their wish to eventually manage the property when the build is complete. They plan to use the space for their monthly meetings and are aware of other groups in the area; for example, parent groups who would use the space for playgroup and parent meetings. They would like to see the facility used for a community garden site and based on a social enterprise model; for example, cafe and bakery. The micro cinema concept could be implemented when the building is completed and safe, and the weather more favourable for the activity.

Central Institute of Technology (CIT) can provide opportunities for community and social activation through their adult learning courses and on-site works. They are attracted to the non-institutional setting of Cheriton Street and work with other nearby partner organisations, such as City Farm, to deliver systematic courses and live works programs.

They will provide students to assist with the build in the next few months. Following the completion of the build they would like to use: the kitchen (require minimum standard) for possible community catering and small scale hospitality courses; incidental room space; crèche infrastructure (attached to their workshops/courses); and landscaping and permaculture workshops once the facility is activated.

CIT have an arrangement with the Reach Clinic who provide an outreach on-site clinic one day per week at Leederville Campus. This is part of the Federal Government Healthy Lifestyles Program and the City also has an agreement with the Reach Clinic. Both partners will investigate the possibility of an outreach clinic being provided at Cheriton Street in 2014.

The City of Vincent Library would be prepared to use the facility on a small scale as a delivery and pick-up site for library books. They could also extend their current early year's program and provide children's story time and baby rhyme time workshops to encourage and promote the importance of reading and early childhood development.

The City's Officers are investigating the possible use of the rooms by other key stakeholders in the wider human services area, one-off occasional use; for example, mental health workshops, dads' programs etc.

Further Funding Opportunities

The Community Development Officer (CDO) is linking with Link West, the key body and resource support for Neighbourhood Houses in WA and also investigating many other forms of management, operational and funding models to stand alone, fully independent management committees to those funded by Local Government. The Department for Communities has traditionally provided recurrent funding for many centres but is reducing their budget and has no new funds for the next five years.

Most of the seventy four (74) neighbourhood centres in Western Australian are not for profit incorporated organisations with their own Boards and management committees, only three (3) are funded and managed by Local Government. Twelve (12) are self funded. The facilities are a mix of State Government purpose built venues or provided and maintained by Local Government at a peppercorn rent. All neighbourhood centres derive their income from venue hire and membership fees and generally rely on volunteer workers. Approximately sixty eight (68) centres receive recurrent funding from the Department for Communities. This funding covers rental (if appropriate), salary, operating and overhead costs.

Central Institute of Technology can provide small amounts of funding towards venue hire of Cheriton Street for their programmes. Other government and non government agencies delivering the occasional community workshop will also be expected to pay a fee for venue hire.

City Farm do not receive recurrent funding from government and derive their income from membership fees, operating a commercial cafe and leasing their buildings for community workshops to sixteen (16) regular groups, weekly farmers markets and occasional events. Polytechnic West and Central Institute of Technology provide students and materials for "liveworks" programs to maintain and build new garden beds and other capital works as required.

Recent discussions with Lotterywest indicate a willingness to support two types of grants:

- An organisational development grant - to build the capacity and sustainability of a not for profit incorporated group to take on the governance and management of the facility. If Council supported a group to access the grant themselves rather than the City applying on their behalf, the City could mentor them throughout the process and link them closely with Learning Centre Link.

The grant amount is up to \$15,000 for an incorporated group not registered for GST. Funds can be used for governance training for the group, consultation (environmental scanning) and strategic planning. The funds could employ a project officer for four (4) months to undertake this work and develop a business plan; and

- Capital funds - to build the extra toilets including disabled access toilets, and funds for furniture equipment, fittings, sheds, landscaping etc. The City can submit this grant and access up to \$100,000.

Both these grants will be required to be submitted before the end of May 2013 to be considered for the August round of funding approvals. Successful applications will be able to commence in October 2013. Lotterywest will not fund retrospectively.

The issue of security of tenure was raised during the meeting and the condition of the management order expiring two years from the date of the order (21 June 2012) was raised. This condition states that the facility must be operating as a community centre within the two (2) years.

Lotterywest are not comfortable providing funds under this condition and would like to see strong assurances of the intent for the community use of Cheriton Street before they release funds to Council or to a community group for the organisational development grant. They have agreed the City can prepare the submissions for funding, but funds will not be released until they are satisfied the City of Vincent has resolved the security of tenure for at least five (5) to ten (10) years.

CONSULTATION/ADVERTISING:

Not Applicable.

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016*, Objective 3 states:

"Community Development and Wellbeing

3.1 *Enhance and promote Community Development and Wellbeing:*

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

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

SUSTAINABILITY IMPLICATIONS:

The potential of the premises for community use supports general principles of sustainability. Proposed "live work" projects to be undertaken by Central Institute of Technology will incorporate the assessment of materials and construction techniques to promote sustainability elements for the project where possible.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$100,000 has been listed for consideration on the 2013/2014 Draft Budget.

With a total estimated cost to refurbish the building sitting between \$250,000 and \$300,000; the remaining budget costs will be sought from external grants.

COMMENTS:

The grant from Lotterywest, if successful, will provide for grassroots developmental strategies in working with the Norwood Neighbourhood Association to build their capacity and sustainability to manage the facility long term. An outcome of this process will be the development of a business case for the overall project.

This framework will provide Council staff and key stakeholders with information to evaluate the project and understand the impact the project will have on Council, other stakeholders and community. The business case will provide a broad scope for the project, clarity around roles, responsibility for the building, management structure, and stakeholder needs analysis, risk management plan, budget (operational and whole of life for project), short term and long term goals with timelines into the future. The business case will be used a basis for future funding opportunities.

9.4.4 No. 368 Oxford Street, Leederville – Application for an Outdoor Eating Area from Oxford Hotel

Ward:	South	Date:	17 May 2013
Precinct:	Oxford Centre; P04	File Ref:	PRO0630
Attachments:	001 – Plan of Outdoor Eating Areas 002 - Enlarged Detail Plan of Outdoor Eating Areas 003 – Plan 3051-CP-01 – Indicative Layout/Safety Barrier		
Tabled Items:	Nil		
Reporting Officers:	M Wood, A/Manager Ranger and Community Safety Services C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Boardman, Director Community Services;		

REVISED OFFICER RECOMMENDATION:

That the Council APPROVES the application from the Oxford Hotel, at No. 368 Oxford Street, Leederville, to introduce an outdoor eating area to cover its Northern and Western perimeters on Anzac Road and Oxford Street, as shown in Appendix 9.4.4, subject to the following conditions:

1. The new outdoor eating area will be restricted to a maximum capacity of sixteen (16) persons and chairs, four (4) tables on Anzac Road and a maximum capacity of twenty eight (28) persons and chairs, seven (7) tables on Oxford Street outdoor eating area, with forty four (44) persons maximum in total;
2. The total number of chairs and the maximum accommodation number of persons in the whole premises to not exceed four hundred and seventy one (471) at any one time;
3. The consumption of Alcohol in compliance with the Liquor Licencing Act 1988 and the requirements of the Director of Liquor Licencing, with appropriate approvals being obtained for liquor and alcohol to be consumed, within the proposed outdoor eating area;
4. The existing street tree on Oxford Street is retained and incorporated within proposed outdoor eating area;
5. The installation of an Australian Standards compliant roadside safety fence of a suitable, location, length, material and design profile as determined by the City, is installed at the Applicant's cost, to protect Hotel patrons from vehicular traffic, prior to commencement of the outdoor eating area as indicatively shown in Attachment 003 - Plan 3051-CP-01 – Indicative Layout/ Safety Barrier;
6. If work is required to be carried out to the roadway or footpath in either Oxford Street or Anzac Road, the owners of the Oxford Hotel will be required to remove, at their expense, the outdoor eating area structures, within a reasonable and a mutually agreed period of time, to allow the works to proceed;
7. The existing bike rails installed on Oxford Street, should they need to be moved to accommodate the outdoor eating area, be moved by the City of Vincent at the Oxford Hotel's cost;
8. The installation of decking on the outdoor eating area on Anzac Road to be of a suitable construction, size material and design type determined approved by the City of Vincent as indicatively shown in Attachment 003 - Plan 3051-CP-01 – Indicative Decking/ Safety Barrier;
9. Oxford Hotel staff and security personnel will ensure that there is no conflict between patrons of the Hotel and pedestrians; and
10. The operating hours shall be restricted to 12 noon – 12 midnight (Monday to Saturday) and 12 noon – 10.00pm (Sunday)."

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

COUNCIL DECISION ITEM 9.4.4

Moved Cr Harley, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

REVISED MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

To seek Council approval on the application received from the Oxford Hotel, at 368 Oxford Street, Leederville, to introduce an outdoor eating area to cover its Northern and Western perimeters on Anzac Road and Oxford Street.

BACKGROUND:

21 December 2010

The Council at its Ordinary Meeting at Item 9.1.3 approved proposed alteration and additions to existing Hotel and mezzanine addition.

4 April 2012

A Building Permit (Form BA4) was issued for Building work to existing Alfresco Alterations.

11 March 2013

The Oxford Hotel owner submitted an application for an outdoor eating. The owner has indicated the planned expansion is part of an overall plan to revamp the internal space of the Oxford Hotel.

DETAILS:

The Oxford Hotel application for an outdoor eating area was assessed by the City's Health and Compliance Services, Technical Services, Ranger and Community Safety Services and Planning and Building Services. As the proposed outdoor eating area could have some impact on an existing street tree, additional input from Parks and Property Services has been sought. All service areas support approval of the application, providing a number of further conditions as detailed below are met:

Health and Compliance Services

Health and Compliance Services have assessed the property and confirm that, if approved, there would be adequate toilet facilities on-site, but that the number of patrons that could be accommodated within the outdoor eating area would be 16 persons on Anzac Road and a maximum capacity of twenty eight (28) persons on Oxford Street outdoor eating area. The overall maximum persons allowed, would be forty four (44) persons and forty four (44) chairs in total in the outdoor eating area.

The total numbers of chairs in the outdoor eating area and premises combined should not exceed four hundred and seventy one (471).

Planning and Building Services

Planning Services acknowledge that the proposal does not contravene any existing planning approval and that the maximum accommodation number for the entire venue is four hundred and seventy one (471) persons.

Technical Services

As per the applicants submission, there are two (2) proposed alfresco areas, one (1) in Oxford Street adjacent the western façade of the Hotel, and one (1) in Anzac Road, adjacent the northern façade.

Safety Fence

The larger of the two is the Oxford Street area. As the paving is in good condition and relatively level, it does not require the installation of any decking. However, as it on the exit side of the Oxford/Anzac roundabout it would be prudent to install an Australian Standards rated safety fence to protect the patrons. While there is a 'W' Beam crash barrier adjacent to the immediate corner, any southbound vehicle travelling through the roundabout at excessive speed could potentially mount the footpath at this point.

The safety fence would be similar, if not the same, as to that installed in Charles Street, corner Albert Street, to protect the school crossing, and the corner Fitzgerald and Forrest Streets, North Perth.

The fencing is off-set 600 millimetres from the face of kerb and would wrap around the northern or Anzac Road end of the alfresco to afford the maximum protection. The length required would be in the order of 16 metres, at an estimated cost of \$5,500. This is to be paid by the Applicant.

Proposed Timber Decking in Anzac Road

In respect of the alfresco area in Anzac Road, while smaller, there is a significant longitudinal slope/decline from the rear of the Hotel towards Oxford Street. As a consequence, without any levelling of the footpath, which is impractical, tables and chairs would be both awkward to place and uncomfortable to sit at. The applicant is proposing to install a timber deck to create a level platform. The deck, as shown in the attached drawing, is approximately 8 metres long by 3 metres wide.

It has been impressed upon the applicant, that if approved by the Council, there are obligations in respect of maintaining or providing access to any services located under the deck area if required by the relevant service authorities. Further, the applicant would be required to enter into a formal agreement with the City, similar to that imposed upon the Leederville Hotel for its Newcastle Street decking, which addresses issues such as public liability and maintenance.

As per the Oxford Street alfresco, it would also require a protective safety fence on the road side wrapping around the eastern or vehicle approach end of the decking. In respect of the Hotel side and western end of the platform, it would require either a balustrade or row of planters to protect against patrons stepping off the platform. The estimated cost of approximately 10 metres of safety fence is in the order of \$3,500 (to be paid by the applicant).

Parks and Property Services

Parks and Property Services provided its recommendation that a street tree that is already in place, (in a different location to the street tree shown on the plan provided) affecting the Oxford Street side, would need to be retained and incorporated with the proposed outdoor eating area.

Ranger and Community Safety Services

From a Ranger and Community Safety Services perspective it was identified that the existing bicycle racks (not identified on the attached plan) installed on Oxford Street may need to be moved to accommodate the outdoor eating area. This could be re-assessed, should Council approval for the outdoor eating area be granted. Sufficient Public Liability Insurance has been provided and the furniture proposed has been deemed easily removed and suitable for their proposed use.

LEGAL/POLICY:

- City of Vincent Local Government Property Local Law 2007; and
- Policy No. 3.8.1 relating to Outdoor Eating Areas.

RISK MANAGEMENT IMPLICATIONS:

Low: While there is potential for a vehicle to mount the footpath at either location, the risk can be mitigated by the installation of Australian Standards compliant roadside safety fence to protect the patrons.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011 – 2016*, Objective 1.1.4(b) states:

“Continue to implement both minor and major improvements in public open spaces”.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

If approved, all additional costs including the installation of road safety fence as recommended and moving (if required) of bicycle racks will be borne by the Oxford Hotel with no cost to the City. There are no other financial implications associated with this report.

Fees

As per current fees in the 2012/203 Budget set for “Precincts and Liquor Licensed Premises elsewhere in the City, including the Oxford Centre, Mount Lawley Centre, North Perth Centre, Charles Centre and Mount Hawthorn Centre Precinct as defined in the Town Planning Scheme”, the following fees will apply on an annual basis:

Details	Costs
Initial Application Fees - <i>More than 6 Chairs</i>	\$391.00
Charge per Chair - <i>First 6 Chairs (6 x Chairs at \$65 each)</i>	\$390.00
Charge per Chair - <i>All Chairs over 6 (38 x Chairs at \$85 each)</i>	\$3,230.00
Total	\$4,011.00

* *If the Oxford Hotel Outdoor Eating Area is approved and established prior to 30 June 2013, a pro rata fee will be charged for the remainder of the 2012/2013 financial year.*

COMMENTS:

Providing that safety concerns are alleviated with the installation of a roadside safety fence, along with no costs of moving (if required) of bicycle racks are borne by the Oxford Hotel, and the existing street trees are unaffected, the City's Officers believe that it is appropriate to approve the application. With installation of the road safety fence and suitable decking, this would create a supportable application. The application is therefore recommended for approval.

9.4.5 nib Stadium “Residents Only” Parking Restrictions - Consideration of Submissions

Ward:	South	Date:	17 May 2013
Precinct:	Beaufort, P13	File Ref:	RES0051
Attachments:	001 – Plan No. 2447-PP-3 (2013-2014)		
Tabled Items:	Nil		
Reporting Officer:	M Wood, A/Manager Ranger and Community Safety Services		
Responsible Officer:	R Boardman, Director Community Services		

Cr Maier Declared an Proximity Interest in this Item. The Council approved of his request to participate in debate and vote on the Item.

OFFICER RECOMMENDATION:

That the Council;

1. **CONSIDERS** the nineteen (19) submissions received concerning the parking area; and
2. **APPROVES** the current area covered by nib Stadium “Residents Only” Parking restrictions with no changes.

Cr Harley departed the Chamber at 7.41pm.

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

Debate ensued.

Cr Harley returned to the Chamber at 7.45pm.

Debate ensued.

AMENDMENT 1

Moved Cr Topelberg, Seconded Cr Pintabona

“That clause 2 be amended and a new clause 3 be added as follows:

That the Council;

1. **CONSIDERS** the nineteen (19) submissions received concerning the parking area; ~~and~~
2. **APPROVES** the current area covered by nib Stadium “Residents Only” Parking restrictions with the exception of Mary Street; and
3. **REMOVES** Mary Street from the area covered by the nib Stadium “Residents Only” parking restrictions, as shown in Appendix 9.4.5, Plan No. 2447-PP-3 (2013-14).”

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

AMENDMENT 2

Moved Cr Maier, Seconded Cr McGrath

“That a new clause 3 be added as follows:

That the Council;

1. **CONSIDERS** the nineteen (19) submissions received concerning the parking area; ~~and~~
2. **APPROVES** the current area covered by nib Stadium “Residents Only” Parking restrictions with no changes; and
3. **REQUESTS** the Chief Executive Officer to investigate the feasibility of:
 - 3.1 determining the availability of parking in streets within the ‘nib Parking Zone’;
 - 3.2 determining the parking demand of residents, including their visitors, for properties living within the ‘nib Parking Zone’;
 - 3.3 determining any potential spare capacity on a street by street basis for streets within the ‘nib Parking Zone’; and
 - 3.4 selling seasonal parking permits to Perth Glory and Western Force for use by their members that take advantage of any spare capacity that exists.”

Debate ensued.

AMENDMENT 2 PUT AND LOST (1-6)

For: Cr Maier

Against: Mayor Hon. MacTiernan, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg and Cr Wilcox

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.4.5

That the Council;

1. **CONSIDERS** the nineteen (19) submissions received concerning the parking area;
2. **APPROVES** the current area covered by nib Stadium “Residents Only” Parking restrictions with the exception of Mary Street; and
3. **REMOVES** Mary Street from the area covered by the nib Stadium “Residents Only” parking restrictions, as shown in Appendix 9.4.5, Plan No. 2447-PP-3 (2013-14).

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the outcome of the public consultation with residents of Chatsworth Road, Harley Street, Cavendish Street, Lincoln Street and St Albans Avenue, Highgate, regarding the proposed reduction in the area covered by nib Stadium "Residents Only" parking restrictions.

BACKGROUND:

For some time, it has been suspected that the nib Stadium 'Residents Only' parking restrictions extend to far from the venue. From parking infringements issued in Mary Street, Vincent Street, Chatsworth Road, Harley Street and Cavendish Street and St Albans Avenue, many complaints have been received from drivers being fined for patronising local business, with it suspected that few of these fines relating to attendance at Perth Glory or Western Force games. It has been suggested that by removing current nib Stadium "Residents Only" parking restrictions and maintaining the existing parking time restrictions that this may assist in minimising parking congestion.

Council Members have reconsidered the extent of the area covered by the nib Stadium residential parking restrictions on previous occasions but on each occasion have decided to preserve the status quo.

At the Ordinary Meeting of Council held on 12 February 2013, the Council approved a consultation process to re-assess the level of support from the community for reducing the area covered by nib Stadium parking restrictions. The recommendation was as follows:

"That the Council;

1. *APPROVES IN PRINCIPLE a review of the Residents Only Parking Restrictions in the area surrounding nib Stadium, with a view to reducing the operating area to that proposed in Appendix 9.4.4B above;*
2. *AUTHORISES the Chief Executive Officer to undertake community consultation of the nib Stadium "Residents Only" parking restricted area, to establish the needs of the community, when an event is held at nib Stadium and to consider a reduction of the operating area to that proposed in Appendix 9.4.4B above; and*
3. *REQUESTS that a further report be submitted to the Council, after the conclusion of the public consultation, to make the Council aware of the responses and to recommend any appropriate change to the nib Stadium restrictions for the period from 1 July 2013 to 30 June 2014."*

DETAILS:

Community Consultation

In accordance with the Council's decision on 12 February 2013, letters were distributed to residents in Chatsworth Road, Harley Street, Cavendish Street, Lincoln Street and St Albans Avenue, Highgate. Two hundred and seventy eight (278) letters were distributed. At the close of the consultation on 26 April 2013, nineteen (19) responses were received with four (4) in favour of the proposal and fourteen (14) against the proposal.

Consultation Breakdown

Street Consulted	<i>In Favour of the Proposal</i>	<i>Against the Proposal</i>	<i>Other</i>
Chatsworth Road	2	9	1
Harley Street		1	
Cavendish Street	1	1	
Lincoln Street		1	
St Albans Avenue	1	2	
Total	4	14	1

Mary Street, Highgate – Consultation

In conjunction with the proposed changes to the parking restrictions in Mary Street, Highgate, which was reported to the Ordinary Meeting of Council held on 14 May 2013 at Item 9.4.5, residents of Mary Street were also consulted regarding the proposed reduction in area covered by the nib Stadium parking restrictions. The consultation period closed on 5 April 2013 - seventy three (73) letters were distributed and six (6) response were received in total. As this consultation was conducted separately, the responses from this have also been collated separately in this report, as follows;

Of the 6 response received from the consultation undertaken overall in Mary Street, only 2 comments were noted by residents specifically referring to the proposed reduction in area covered by the nib Stadium parking restrictions. These comments were:

*'Removing the nib restrictions on the northern side I am in favour of'; and
'Over the last 12 months, we have had 37 families stay at the refuge and often the residents parking permit (including nib permits) are lost or not returned. It is also difficult to get additional resident parking permits when they have'.*

As indicated by the above responses received from Mary Street, only one (1) is clearly in favour to reduce the area covered by the nib Stadium parking restrictions.

Related Comments *In Favour* of the Proposal

- No comment;
- I am in favour of the amendment in Chatsworth Road. It should however apply when events such as Hyde Park Fair or Beaufort Street Festival take place. Events at nib are far too frequent and sporadic to be aware of;
- I am in favour of the proposed amendments to lift restrictions and the introduction of parking restrictions in Mary Street; and
- I am very much in favour of having restrictions removed from my [Cavendish] Street. We have found restrictions a nuisance as inevitably when we invite visitors, it is on a restricted parking day and often 2 visitor's permits are not enough and they need to park a long distance from our home.

Related Comments *Against* the Proposal:

- Three (3) respondents indicating *Against* the proposal with no further comment;
- I am against the proposal due to lack of availability parking in the area (due to the restricted areas in place), which will put additional pressure on parking in Chatsworth Road on the nib stadium dates which are usually Saturday nights, the busiest day of the week;
- Chatsworth Road can we have along one side of the road timed parking Monday to Friday for 3 hours to stop the City parkers taking up the parking for residents?;
- Parking in Chatsworth Road has become impossible on a weekend (Friday to Sunday) evening and will worsen to include verges, William Street, etc. if nib Stadium parking restrictions are relaxed;
- We object to the proposal as it would result in our street being one of only a few upon which nib Stadium patrons could park on, on nights when there is an event at the Stadium. This would only add further to parking problems experienced on our [Harley] Street. Note that nib Stadium has been significantly expanded to accommodate extra patrons, increasing the number of people looking for parking in the area on event night. If the City is considering other strategies to reduce parking pressure, they should be in place prior to proposing this change;
- Clearly St Albans Avenue is actually closer than the number of areas Council has determined should remain restricted to parking. On most game nights, I will be asked at least once by someone in the process of parking in St Albans Avenue to go to the game if they can park on the street... The stated rationale for excluding St Albans Avenue from resident parking zones does not holdup. On game nights, we usually see large numbers of people in Glory or Western Force supporter clothing parking and walking from

unrestricted parking zones...The increased capacity of the stadium is likely to result in more cars looking for parking... It is completely illogical to consider that bringing and additional 20,000 people into the area will result in congestion not likely to be related to events held at nib Stadium. Based on past and present and current events scheduled at nib Stadium, it is reasonable to expect that there will be at least 26 events held at nib Stadium each year. These events are mostly held on Friday or Saturday evenings or Sunday afternoons. This will result in us being unable to park anywhere near our home or to have visitors at our home for at least a quarter of the key days open to most people to socialise with family and friends;

- The Council rationale for the proposal on the basis that the average motorist would not park and walk from the restricted parking zone to nib Stadium is not substantiated..The recommended reduction to the nib Stadium restrictions on the basis that it would not increase congestion in the area is not substantiated... It is a flawed approach to reduce the nib Stadium restrictions in isolation from a broader and informed approach to managing general and event specific congestion;
- I welcome any opportunity for restricted parking, even if it's only on days when the stadium is in use. I see that Mary Street is to be given consideration with regard to restrictions on parking;
- On Game nights there is a noticeable increase in cars parked on our [Chatsworth] Street, many have parking fines..Cars will also be lined up on Vincent/William Streets on these nights. Many fans drink at the Queens prior to a game and will park here first. I suggest either make 2 hour parking at the time or leave nib restrictions in place;
- To suggest that the proposed streets are far to walk is preposterous. I regularly see supporter's pre match at the Flying Scotsman which is further to walk to nib than the streets regulated;
- Most (I would estimate 80%) of the on-street parking bays in Chatsworth Road are currently required by residents to park their own cars. There is not much spare capacity to provide parking for major events such as held at Perth Oval. In the past, before restrictions were implemented, this area would be completely parked out before the games and residents who arrived home later often had to park a significant distance from their homes, sometimes in another street further away (from Perth Oval). This affected the safety if people cannot hear their car alarms because their car is parked far away from their property. It may also affect their safety if they have to go out late at night to bring their car back closer to home. It is not correct to state that people do not walk this far from Perth Oval. They currently walk further than this area, to the west of William Street around Hyde Park to park for free. The proposal is to remove parking restrictions from Chatsworth/Mary Streets but not Harold Street east on Beaufort Street which is a similar distance from Perth Oval. Why the inequity? The system is working well and should not be changed before a comprehensive approach to parking (not piecemeal) is implemented in the area; and
- I do not support the changes due to nib Stadium users utilising all food and drink venues along Beaufort Street. It is not uncommon for game lovers walking from the Flying Scotsman, the Queens and now Five Bar and Clarence's. If parking is permitted, they will walk the distance.

Related Other Comments

- Whilst I appreciate what the Council is trying to do, and fully understand that many of the parking issues arise for other than games at nib Stadium, what I do not understand is why is Mary Street considered an exception? Chatsworth Road is just as bad as Mary Street, so if the Council is considering introducing parking restrictions on one side of Mary Street, they should also consider introducing resident parking in Chatsworth Road.

Officers Comments:

The majority of respondents are against the proposal for a reduction in the area covered by nib Stadium "Residents Only" parking restrictions.

It is therefore considered that there be no changes introduced to nib Stadium "Residents Only" restrictions.

CONSULTATION/ADVERTISING:

Residents will be informed of the Council's decision.

LEGAL/POLICY:

There is no legal consequence of the recommendation. As the restrictions and signage is already in place, there is no need for the City's Rangers to place the usual 2 (two) week moratorium on issuing infringement notices.

RISK MANAGEMENT IMPLICATIONS:

Low: Mainly related to amenity improvements for residents.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2011-2016* which states:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

As the nib Stadium restrictions are already in place, minimal costs will be incurred. The City already has a "signage" Budget to continue the maintenance of signage and retain restrictions in place.

COMMENTS:

Strong feedback has been received from residents that nib Stadium Parking restrictions as currently in place do afford benefit in minimising the impact of parking inundation on residential streets of Chatsworth Road, Harley Street, Cavendish Street, Lincoln Street and St Albans Avenue, Highgate. The observations on parking from residents are that drivers of vehicles do walk far to obtain free parking and are not deterred (without nib Stadium parking restrictions) to park in these areas.

It is therefore recommended that no changes be made to current nib Stadium parking restrictions.

9.5.1 Draft Policy No. 4.1.34 - Active Citizens Award

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	FIN0202
Attachments:	001 – Draft Active Citizen Award Policy		
Tabled Items:	Nil		
Reporting Officers:	E Everitt, Community Development Officer; J Anthony, Manager Community Development		
Responsible Officers:	R Boardman, Director Community Services John Giorgi, Chief Executive Officer		

CORRECTED OFFICER RECOMMENDATION:

“That the Council;

1. **RECEIVES** the report relating to the Draft ‘Active Citizens Award Policy’;
2. **APPROVES BY AN ABSOLUTE MAJORITY** the Draft Policy No. 4.1.34 – Active Citizens Award, as shown in Appendix 9.5.1, subject to the following changes; and
 - 2.1 a new clause 3.2 being added as follows:

“3.2 A recommendation for an award will be made on a confidential basis to the Council for approval.”
 - 2.2 new Guidelines numbered 1-8 being added as follows:
 - “1. The Nominee for the Active Citizen Award (ACA) must be a City of Vincent Resident.
 2. The Nominee for the ACA can only be nominated for an ACA once per calendar year.
 3. The Nominee must be nominated by a City of Vincent rate payer, resident, business owner or operator or community organisation.
 4. Nominations for sponsorship of events or financial contribution to the City will not be considered.
 5. The Nomination must be submitted to the Chief Executive Officer in writing and must outline the details of the Nominee has benefited or contributed to the community with their actions.
 6. The Nomination will be assessed by the City’s Officers and the Nominator and Nominee will be notified within 21 days of the nomination being received.
 7. If the Nomination is accepted, the Nominee and Nominator will be invited to the next Ordinary Meeting of Council (OMC) so the award can be presented to the Nominee.
 8. If the Nominee is unable to attend the next OMC their award will be posted to them; and
3. **AUTHORISES** the Chief Executive Officer to:
 - 3.1 advertise the Draft Policy No. 4.1.34 – Active Citizens Award, for a period of twenty-one (21) days, seeking public comment;
 - 3.2 report back to the Council with any public submissions received; and
 - 3.3 include the Policy in the City’s Policy Manual if no public submissions are received.”

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

PROCEDURAL MOTION

Moved Cr Harley, Seconded Cr Pintabona

That the item be DEFERRED for further consideration.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (7-0)**

(Cr Buckels and Cr Carey was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval for the implementation of an Active Citizens Award.

BACKGROUND:

The City's Officers received a request from a local North Perth business owner to recognise a resident of the area for his selfless contributions to the North Perth area. Upon discussion, Officers agreed there are many Vincent residents that selflessly contribute to the community and go above and beyond their civic duties.

DETAILS:

The City's Officers recommend implementing an Active Citizen Award by which local residents could be nominated by other residents, businesses and organisations within the City on an ad hoc basis for their contribution to the Community.

The City's Officers would accept up to six (6) Resident Recognition nominations per calendar year and would assess each nomination based on a set criteria, as shown in Appendix 9.5.1. All nominations will be reported to the Council for consideration and approval.

The recipient would be notified of their award via letter and would be invited to a Council Meeting to be presented with a Certificate of Appreciation signed by the Mayor and Chief Executive Officer. A photograph and small write up on the resident receiving the award would also be published in the Community Newspaper as a form of community recognition for the efforts of the person receiving the award.

Implementing the Active Citizens Award would give the Council and the community an opportunity to recognise and thank citizens that often contribute to community in ways that often go unnoticed.

CONSULTATION/ADVERTISING:

The Active Citizens Award would be advertised on the City of Vincent Website, social media sites and in printed and electronic newsletters.

The Award would also be advertised to local business and organisations within the City to make community members aware of the programme so they would be inclined to nominate residents for it.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The approval of the proposed Active Citizens Award is in keeping with the *City's Strategic Plan 2011-2016*, where the following Objectives state:

- "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; and*
- 3.1.6 Build capacity within the community to meet its needs."*

SUSTAINABILITY IMPLICATIONS:

Implementation of Active Citizens Award within the City of Vincent is a socially sustainable way to promote and support diversity and mutuality within the community.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the Council implement the proposed Active Citizens Award as outlined to recognise the people that contribute to the Community in ways that often go unnoticed or unrewarded. Individuals who go above their civic duty on their own accord create the sense of community we are proud of in Vincent and deserve to be recognised for their contribution and effort.

9.5.3 Appointment of Arts Consultant

Ward:	Both	Date:	17 May 2013
Precinct:	All	File Ref:	CMS0010
Attachments:	CONFIDENTIAL – Leederville Town Centre Artwork CONFIDENTIAL - Draft Tender: Beatty Park Leisure Centre Artwork CONFIDENTIAL – Draft Artist in Residence Brief CONFIDENTIAL – Aboriginal Bronze Sculpture report		
Tabled Items:	-		
Reporting Officer:	J Anthony, Manager Community Development, John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY to AUTHORISE the Chief Executive Officer to engage a specialist Arts Consultant in accordance with the Evaluation Criteria, specified in the report, for a period of three (3) months to assist the City with the following;**
 - 1.1 **Project management of the Tenders for the Leederville Town Centre and Beatty Park Leisure Centre major Artworks;**
 - 1.2 **Develop protocols and engage in the development and commission of an Aboriginal Sculpture, to be installed in Weld Square;**
 - 1.3 **Undertake the promotion and obtain a diverse field of candidates for the City’s Artist in Residence programme for the 2013/14 financial year; and**
 - 1.4 **Provide specialist advice on the City’s policies and procurement processes relating to the Arts;**
2. **REFERS the Draft Tender documents and the Draft Brief for the Artist in Residence project to the City’s Arts Advisory Group for consideration and comment, prior to approval by the Council; and**
3. **AUTHORISES the Chief Executive Officer to co-opt persons with specialist and relevant Arts qualifications, industry knowledge and professional experience to the City’s Arts Advisory Group, until 12 October 2013.**

Moved Cr Harley, Seconded Cr Pintabona

That the recommendation, together with the following change(s), be adopted:

“That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY to AUTHORISE the Chief Executive Officer to obtain quotations to engage a specialist Public Art Consultant in accordance with the Evaluation Criteria, specified in the report, for a period determined by the Chief Executive Officer ~~of three (3) months~~ to assist the City with the following;**
 - 1.1 **Project management of the Tenders Procurement for the Leederville Town Centre and Beatty Park Leisure Centre major Artworks;**
 - 1.2 **Develop protocols and engage in the development and commission of an Aboriginal Sculpture, to be installed in Weld Square; and**
 - 1.3 ~~Undertake the promotion and obtain a diverse field of candidates for the City’s Artist in Residence programme for the 2013/14 financial year; and~~
 - 1.4 ~~Provide specialist advice on the City’s policies and procurement processes relating to the Arts;~~

~~2. REFERS the Draft Tender documents and the Draft Brief for the Artist in Residence project to the City's Arts Advisory Group for consideration and comment, prior to approval by the Council; and~~

2.3. AUTHORISES the Chief Executive Officer to co-opt persons with specialist and relevant Arts qualifications, industry knowledge and professional experience to the City's Arts Advisory Group, until 12 October 2013."

Debate ensued.

Cr Maier advised the Mover, Cr Harley that *he* wished to *change her* amendment and *reword it as follows*. The Seconder, Cr Pintabona agreed.

"1.1 Project management of the ~~Tenders~~ Procurement for the Leederville Town Centre, North Perth Town Centre and Beatty Park Leisure Centre major Artworks;"

Debate ensued.

**MOTION AS AMENDMENT PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (7-0)**

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.5.3

That the Council;

1. APPROVES BY AN ABSOLUTE MAJORITY to AUTHORISE the Chief Executive Officer to obtain quotations to engage a specialist Public Art Consultant in accordance with the Evaluation Criteria, specified in the report, for a period determined by the Chief Executive Officer to assist the City with the following;

1.1 Project management of the Procurement for the Leederville Town Centre, North Perth Town Centre and Beatty Park Leisure Centre major Artworks;

1.2 Develop protocols and engage in the development and commission of an Aboriginal Sculpture, to be installed in Weld Square; and

2. AUTHORISES the Chief Executive Officer to co-opt persons with specialist and relevant Arts qualifications, industry knowledge and professional experience to the City's Arts Advisory Group, until 12 October 2013.

ADDITIONAL INFORMATION:

CHIEF EXECUTIVE OFFICERS COMMENT:

It is recommended that the three (3) month time period be deleted as it is envisaged that the Consultant would be engaged to oversee the projects from start to finish. It is envisaged that with the major artworks this will take longer than the three (3) month period.

PURPOSE OF REPORT:

The purpose of this report is to seek Council approval to engage an Arts Consultant for a period of three (3) months.

BACKGROUND:

The Mayor Hon. Alannah MacTiernan has recommended that the City considers engaging an Arts Consultant with specialist knowledge to assist with the City's significant Arts projects and to provide specialist advice to the City.

DETAILS:

The City's extensive Arts Programme continues to evolve and expand in meeting the expectations of the Council for the benefit of residents, businesses and ratepayers.

More recently, the City's Officers have drafted an Arts Plan to seek direction and apply strategic outcomes to the projects and programmes that are endorsed by the Council.

The City is committed to encourage and support local communities to participate in arts activities by:

- inspiring creative activity which celebrates local cultural identity and diversity;
- identifying and celebrating local cultural practices, communities and activities;
- developing and implementing arts programmes with adequate resourcing;
- working with other spheres of government to facilitate community arts, cultural development, and events;
- promoting, fostering, and facilitating a strategic approach to arts activities, including long term services and programmes;
- ensuring the widespread participation and involvement of all sections of the community, including those not traditionally associated with cultural and community activities and those with diverse cultural backgrounds; and
- providing opportunities for children and young people to participate in high quality arts and cultural activities in an active and audience capacity in their local environment.

The tenders for Beatty Park Leisure Centre and Leederville Town Centre Artwork, as well as the brief for the Artist in Residence Programme have been drafted by the City's Officers (Attachments 001, 002 and 003).

Following consultations with traditional landowners at Weld Square, the City's Officers have been engaging with various Aboriginal contacts to research the well regarded sculpture of an Aboriginal family that used to be situated within the premises of the Aboriginal Advancement Council. The research and findings for the project is listed in Attachment 004.

The selection criteria for the Arts Consultant will be as follows;

1. Tertiary qualifications in a related Arts degree. Postgraduate qualifications will be highly regarded;
2. Demonstrated experience of at least five (5) years in Arts Management;
3. Knowledge and a minimum of ten (10) years experience in the development, implementation and project management of Public Art projects;
4. Knowledge of Arts principles and practices, including trends, programmes and initiatives;
5. Extensive experience in utilising community engagement strategies and initiatives;
6. Demonstrated knowledge of and networks within the Western Australian Arts industry; and
7. Significant experience working with a diverse range of stakeholders in a complex and challenging environment.

A minimum of two (2) referees will also be required to reinforce the experience and knowledge requirements of the contracted position.

The following evaluation criteria shall be applied in the assessment of prospective consultant:

Request for Quote Evaluation Criteria:

The following weighted criteria were used for the selection of the companies for this request for quote.

Evaluation Criteria	Weighting
<p>Financial offer / fee proposal</p> <ul style="list-style-type: none"> This contract is offered on a lump sum (fixed price) fee basis. Include in the lump sum fee all fees, any other costs and disbursements to provide the required service and the appropriate level of the Goods and Services Tax (GST). Represents the "best value" for money. 	30%
<p>Relevant experience and expertise Demonstrate your:</p> <ul style="list-style-type: none"> Experience and expertise. Role and credentials of the person in the provision of the service (i.e. qualifications and experience). Ability to provide ongoing availability performing the tasks consistent with the required standards. Understanding of the requirements associated with delivering the services to the City. Experience and success in the sphere of recent similar facilities. <p>Note:</p> <ul style="list-style-type: none"> It is a preference that the consultant have a minimum of ten (10) years' experience in arts management and the development, implementation and project management of Public Art projects. Tertiary Qualifications in a related Arts degree is essential. 	30%
<p>History</p> <ul style="list-style-type: none"> Detail your history, viability and experience. Demonstrate your capacity and depth to effectively address the range of requirements of the City. 	20%
<p>References</p> <ul style="list-style-type: none"> Submission of contact details of two (2) referees for similar projects. 	10%
<p>Knowledge and range of networks in the Western Australian Arts Industry</p>	10%
TOTAL	100%

The following outcomes will need to be achieved within the contracted three (3) month period:

- Successful community engagement/consultation and commissioning of innovative, best practice artwork for the Leederville Town Centre and Beatty Park Leisure Centre;
- Manage and finalise the completion of artwork for the Leederville Town Centre and Beatty Park Leisure Centre;
- Obtaining a diverse field of innovative submissions for consideration for the Artist in Residence Programme for 2013/14;
- Successful commission of candidate for the Artists in Residence programme;
- Consultation with Aboriginal stakeholders to develop the scope of works required for the Aboriginal Sculpture for Weld Square;
- Successful commission and completion of the Aboriginal Sculpture for Weld Square;
- Liaise with the Arts Advisory Group to consider and comment on progress of projects as contracted;
- Ensure positive publicity for the City of Vincent and Council at all times in the execution of contracted projects; and
- Review and revise the City's Arts policies and artwork procurement processes for Council approval.

The position will report directly to the Director of Community Services in the first instance, with operational guidance provided by the Manager of Community Development.

Arts Advisory Group

The City of Vincent has a history of working with the arts community to realise shared goals. The first Arts Advisory Group was established in 1998 to judge an Art Exhibition which would develop into a well known and highly regarded annual exhibition hosted by a local government in years to come.

Since then, the Arts Advisory Group has evolved to provide advice on incorporating Arts policies and programmes into the City's repertoire.

The Art Advisory Group is currently set up to:

- 2.1 Act in an advisory capacity to advocate and promote the Arts.
- 2.2 Provide advice and make recommendations relating to;
 - 2.2.1 the City of Vincent Art Competition;
 - 2.2.2 the acquisition of Art; and
 - 2.2.3 the display and viewing of artwork.
- 2.3 Act as judges for the City of Vincent Art Competition.
- 2.4 Provide advice and recommendations concerning Percent for Art Policy and significant works.
- 2.5 Provide advice on matters generally relating to the arts and associated projects.

It is important that given the significance and impact of the Arts projects, the membership of the Arts Advisory Group be reviewed to ensure that there is qualified and professional representation from the Arts industry to offer specialist advice and comments to the City's Officers.

CONSULTATION/ADVERTISING:

The brief for the Arts Consultant will be advertised through industry networks, Arts agencies and peak organisations, as well as through the newspapers.

LEGAL/POLICY:

The Chief Executive Officer is responsible for employment management supervision, direction and dismissal of employees in accordance with Section 5.41(e) of the *Local Government Act 1995*. The Chief Executive Officer is also responsible for the day-to-day management of the organisation.

RISK MANAGEMENT IMPLICATIONS:

Moderate: The engagement of an Arts Consultant may assist in ensuring specialist advice is on hand to Council members in the protocols and processes of Arts acquisition and procurement.

STRATEGIC IMPLICATIONS:

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

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

"2.1.3 Develop business strategies that reduce reliance on rates revenue".

"4.1.2 Manage the organisation in a responsible, efficient and accountable manner."

"4.2.1 Promote employee performance, recognition, reward, satisfaction and wellbeing, and provide a safe and positive workplace"

SUSTAINABILITY IMPLICATIONS:

The Arts Consultant will be required to adhere to the sustainability principles and policies that are endorsed and in practice at the City.

FINANCIAL/BUDGET IMPLICATIONS:

The engagement of an Arts Consultant will require a contractual arrangement and appropriate fees to ensure that a suitably qualified candidate can be sourced. The initial contract will be for a period of three (3) months with clear outcomes that will be required to be achieved to meet with the Council's expectations.

It is estimated that given the current consultant's rates in the marketplace, an estimated budget of \$30,000 for a three (3) month contract will need to be listed for the 2013/14 Draft Budget. Consultant rates in the marketplace tend to be based on 12 to 15% of the project budget.

Conversely, the costs to appoint a temporary Arts Officer to undertake the listed projects would be as follows;

Details	Amount
Salary (<i>based on Band 7D</i>)	\$16,460
On-costs	\$3,292
Total	\$19,752

As this matter has arisen after the adoption of the 2012/13 Budget, no funds are listed for an Arts consultant. Therefore, an Absolute Majority decision of the Council will be required if the consultant is to be appointed in the 2012/.13 financial year. If the consultant is engaged after 1 July 2013, funds will need to be listed in the 2013/14 Budget.

COMMENTS:

The engagement of the Arts Consultant is requested to ensure successful delivery and completion of major Arts projects. Council approval of the Officer Recommendation is requested.

9.5.4 Bi-Annual International Public Works Conference – 2013

Ward:	-	Date:	20 May 2013
Precinct:	-	File Ref:	ADM0031
Attachments:	001 - Conference Program		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council APPROVES the Director Technical Services and either one (1) Council Member, or the Manager Asset and Design Services, to attend the 2013 Bi-Annual International Public Works Conference to be held in Darwin, Northern Territory (NT), from 11 August 2011 to 15 August 2013, at an estimated cost \$4,132 per attendee.

Moved Cr Topelberg, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

The Chief Executive Officer informed the Meeting that Cr Pintabona had indicated an interest to attend.

Cr Maier asked the Presiding Member, Mayor Hon. Alannah MacTiernan if the voting could be carried out in two parts, the Presiding Member agreed with the request to consider and vote in two parts.

“That the Council APPROVES the Director Technical Services, to attend the 2013 Bi-Annual International Public Works Conference to be held in Darwin, Northern Territory (NT), from 11 August 2011 to 15 August 2013, at an estimated cost \$4,132 per attendee.”

**CLAUSE 1 PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (7-0)**

(Cr Buckels and Cr Carey was an apology for the Meeting.)

That the Council APPROVES one (1) Council Member, to attend the 2013 Bi-Annual International Public Works Conference to be held in Darwin, Northern Territory (NT), from 11 August 2011 to 15 August 2013, at an estimated cost \$4,132 per attendee.

CLAUSE 2 PUT AND LOST (3-4)

For: Mayor Hon. MacTiernan, Cr Harley and Cr Pintabona

Against: Cr McGrath, Cr Maier, Cr Topelberg and Cr Wilcox

(Cr Buckels and Cr Carey was an apology for the Meeting.)

AMENDMENT 1

Moved Cr Maier, Seconded Cr Topelberg

“That the Manager Asset and Design Services, to attend the 2103 Bi-Annual International Public Works Conference to be held in Darwin, Northern Territoy (NT).”

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels and Cr Carey was an apology for the Meeting.)

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

(Cr Buckels and Cr Carey was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.5.4

That the Council APPROVES the Director Technical Services and the Manager Asset and Design Services, to attend the 2013 Bi-Annual International Public Works Conference to be held in Darwin, Northern Territory (NT), from 11 August 2011 to 15 August 2013, at an estimated cost \$4,132 per attendee

PURPOSE OF REPORT:

The purpose of the report is to obtain approval for the Director Technical Services (DTS) and up to one (1) Council Member or the Manager Asset and Design Services to attend the above conference to be held in Darwin, Northern Territory in August 2013.

BACKGROUND:

The Institute of Public Works Engineering Australia (IPWEA) is a professional organisation providing member services and advocacy for those involved in and delivering public work and engineering service to the community. The DTS is a member of the Institute.

The IPWEA holds a state conference annually and a national (or in this case, International) conference bi-annually. In 2013 the conference is to be held in Darwin.

DETAILS:

This year IPWEA will be hosting its bi-annual conference from 11 August 2013 in the Northern Territory's tropical capital city, Darwin.

The conference is expected to attract more than 600 delegates from Australia and overseas, this year the IPWEA will be effectively delivering 3 conferences in 1:

- Largest public works conference in Australia - 6 streams over 3 days;
- Largest Asset Management conference in Australia - 2 streams over 3 days; and
- Special 1-day "Tech-Talk" stream, with focus on issues for public works engineers in the NT.

Conference topics will include (program attached):

- Asset Management;
- Climate Change;
- Community and Safety;
- Parks and Recreation;
- Road Safety;
- Traffic Management; and
- Waste Management.

The Conference Program is attached at Appendix 9.5.4.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Council's Policy 4.1.15 – "Conferences" – Clause 1.1 (i) states:

"When it is considered desirable that the Town of Vincent be represented at an interstate conference, up to a maximum of one Council Member and one Employee may normally attend, unless otherwise approved by the Council;"

The Director Technical Services' Contract of Employment entitles him to attend one (1) interstate conference per annum.

Previous Attendances

Clause 1.3 of the Policy requires details of previous attendances of the Conference to be included into the report.

Officer's Comments:

Previous attendance at the IPWEA International Conference has been as follows:

2003	IPWEA International Conference – Tasmania (Director Technical Services attended).
2005	IPWEA International Conference – Adelaide (Director Technical Services attended).
2009	IPWEA International Conference – Melbourne (Manager Asset and Design Services attended).
2011	IPWEA International Conference – Canberra (Director Technical Services attended).

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016*, Objective 4.2 states:

"Provide a safe, positive and desirable workplace".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Estimated cost per attendee:

	Costs
Conference Registration and Technical Tour (<i>Early Bird payment by 3 June 2013</i>)*	\$1,700.00
Accommodation (4 nights) (<i>Up to \$300 per night</i>)	\$1,200.00
Airfare Return and Transfers (economy class) - <i>indicative cost</i>	\$750.00
Expenses allowance (<i>4 days @ \$120.52 per day</i>)#	\$482.00
Estimated Total	<u>\$4,132.00</u>

Rounded off.

COMMENTS:

It is recommended that approval be granted for the Director Technical Services and either one (1) Council Member or the Manager Asset and Design Services to attend the 2013 Biannual International Public Works Conference to be held in Darwin, NT, from 11 August 2013 to 15 August 2013, at an estimated cost \$4,132 per attendee.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

15. CLOSURE

There being no further business, the Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 8.10pm with the following persons present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Jerilee Highfield	Executive Assistant (Minutes Secretary)
Sara Fitzpatrick	Journalist – <i>“The Guardian Express”</i>
David Bell	Journalist – <i>“The Perth Voice”</i>

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 28 May 2013.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2013