



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

9 OCTOBER 2012

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- Nil. 110

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1. WALGA Deputy Member - Air Quality Coordinating Committee (*Re-advertised*);
 2. WALGA Metropolitan Member - Keep Australia Beautiful Council (WA) (Ministerial Approval - Panel of 3 required) (*Re-advertised*);
 3. WALGA Metropolitan Deputy Member - Keep Australia Beautiful Council (WA) (Ministerial Approval - Panel of 3 required) (*Re-advertised*); and
 4. WALGA Urban Member - Landgate Customer Service Council (Metro and Country Urban Local Governments).

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- Nil. 110

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Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 9 October 2012, commencing at 6.03pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.03pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

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

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Roslyn Harley was unwell.

(b) Members on Approved Leave of Absence:

Cr Joshua Topelberg due to work commitments.

(c) Present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward (from 6.06pm)
Cr Dudley Maier	North Ward
Cr John Pintabona	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 until 8.00pm)
<u>Employee of the Month Recipient</u>	
Anita Marriott	Sustainability Officer (until approximately 6.10pm)
<u>Media</u>	
Lauren Stringer	Journalist – <i>"The Guardian Express"</i> (until approximately 8.00pm)
David Bell	Journalist – <i>"The Perth Voice"</i> (from 6.06pm until approximately 8.00pm)

Approximately 5 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. Catherine Sanders of 15 Lacey Street, Perth – Item 9.1.4 Stated the following:
 - She had a question in relation to the design guidelines for Lacey Street, Perth as listed in the Agenda and wanted to know if someone could explain exactly what is stated, for the residents in the street.

The Presiding Member Mayor Hon. Alannah MacTiernan advised Ms Sanders that when the Item is up for discussion, the Director Planning Services will provide a comprehensive report at the beginning of the item, describing exactly what changes will be included in the guidelines.

There being no further speakers, Public Question Time closed at approx. 6.06pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Warren McGrath requested leave of absence from 11 October 2012 to 16 October 2012 (inclusive), due to personal commitments.
- 4.2 Cr Matt Buckels requested leave of absence from 12 October 2012 to 15 October 2012 and 18 November 2012 to 25 November 2012 due to personal commitments.

Moved Cr Pintabona Seconded Cr Maier

That Cr McGrath's and Cr Buckel's request for leave of absence be approved.

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was 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 25 September 2012

Moved Cr Pintabona Seconded Cr Maier

That the Minutes of the Ordinary Meeting of Council held 25 September 2012 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was 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 September 2012

As the Council is aware due to the very generous sponsorship of the Bendigo North Perth Community Bank, who provide \$120 voucher each month for the employee of the month.

I am very pleased to announce that for September 2012 the City's employee of the month is awarded to Anita Marriott, Sustainability Officer in the City's Strategic Planning, Sustainability and Heritage Services Section.

I was very pleased to nominate Anita for this Award. I am very impressed with what Anita has achieved since commencing with the City in 2011.

Most recently Anita led a Sustainability round table, the City's first Sustainability round table and achieved fantastic results, with local residents participating in the event and produced a number of great projects, which Anita has since implemented.

The three main events were as follows:

Sustainable House Day - As part of the national Sustainable House Day, the City of Vincent held an open house at No. 17A Alma Road, North Perth on the 9 September 2012. Local architect and owner of this well designed sustainable home, Joe Chindarsi, provided a guided tour during the three sessions and there were over 100 people that went through the house.

Energy Saver Carbon Tax Workshop – Two free sessions were held for staff, Council Members and the community on the 12 September 2012. This two hour workshop provided tips on what you will pay for, what you shouldn't pay for and how to come out ahead.

Sustainable Design Expo – This was held in the City's Function Room on Saturday 22 September from 12pm to 4pm. The Expo began with an opening address from the chair of the City's Design Advisory Committee, local architect Adrian Iredale.

Congratulations Anita you have done a fabulous job.

Received with Acclamation!

7.2 Hyde Park Water Playground - Re-Opening

The Hyde Park Water Playground has been completed and approved. There will be a function on Sunday 14 October 2012 to open the playground.

With a 100% organic popsicles, along with a free sausage sizzle, thank you to the Director Technical Services and his team for doing a fabulous job on getting the playground finished.

The kids of Vincent will be very happy with the new playground

8. DECLARATIONS OF INTERESTS

- 8.1 Mayor Hon. Alannah MacTiernan declared an Proximity interest in Item 9.1.3 – further report: Proposal for New Areas of Paid Parking – Consideration of Submissions and Approval of Amended Days, Times and Purchase of Additional Ticket Machines. The extent of her interest being she no longer has a lease held interest in Parry Street. She requested Council approval to participate in the debate and vote on the matter and that Deputy Mayor Warren McGrath presides on the item.
- 8.2 Mayor Hon. Alannah MacTiernan declared an Proximity interest in Item 9.4.1 – Beaufort Street Festival Parking – Use of Forrest Park and Barlee Street Car Park. The extent of her interest being she owns property and resides in Harold Street, Mount Lawley. She requested Council approval to participate in the debate and vote on the matter and that the Deputy Mayor Warren McGrath presides on the item.
- 8.3 Cr John Carey declared an Impartiality interest in Item 9.4.1 - Beaufort Street Festival Parking – Use of Forrest Park and Barlee Street Car Park. The extent of his interest being that he is the Chair of the Beaufort Street Festival and will exclude from the debate on this item.

The Presiding Member Mayor Hon. Alannah MacTiernan departed the Chamber at 6.12pm – to allow the Council to consider her request to participate in the debate and vote on Items 9.1.3 and 9.4.1, Deputy Mayor Cr Warren McGrath assumed the chair.

PROCEDURAL MOTION:

Moved Cr Maier, Seconded Cr Buckels

That Mayor Hon. Alannah MacTiernan's request to participate in the debate and vote on item 9.1.3 be approved.

CARRIED UNANIMOUSLY (6-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

(Mayor Hon. Alannah MacTiernan was out of the Council Chamber and did not vote.)

PROCEDURAL MOTION:

Moved Cr Wilcox, Seconded Cr Pintabona

That Mayor Hon. Alannah MacTiernan's request to participate in the debate and vote on item 9.4.1 be approved.

CARRIED UNANIMOUSLY (6-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

(Mayor Hon. Alannah MacTiernan was out of the Council Chamber and did not vote.)

Mayor Hon. Alannah MacTiernan returned to the Chamber at 6.14pm and assumed the Chair.

The Chief Executive Officer informed Mayor Hon. Alannah MacTiernan that her request to participate in the debate and vote on Items 9.1.3 and 9.4.1 had been approved.

Cr Maier asked the Presiding Member Mayor Hon. Alannah MacTiernan if Standing Orders could be suspended to allow Mr Rogers to speak as he arrived late and missed Public Question time.

The Presiding Member Mayor Hon. Alannah MacTiernan agreed.

PROCEDURAL MOTION

Moved Cr Maier Seconded Cr Carey

That Standing Orders be suspended to allow Mr Rogers to speak as he arrived late and missed Public Question time.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

Sam Rogers of 235 Beaufort Street, Perth addressed the Council concerning – Item 9.1.3 and stated the following:

- He has been in the area for the last thirty (30) years. His major concern was the introduction of the new parking initiative and he had received numerous complaints from patients regarding the parking.
- Mr Rogers had recently travelled to New York and Sydney and he advised that areas that are policed properly seemed to have no parking issues.
- Parking machines being introduced seem to cause problems for businesses and were not “customer friendly”.
- He also stated that businesses in the area required decent parking.
- He asked the Council not to support the introduction of the ticket machines in the area.

PROCEDURAL MOTION

Moved Cr Pintabona Seconded Cr McGrath

That Standing Orders be resumed.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

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 9.1.3 & 9.1.4

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 9.5.4 & 9.5.5

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

Items 9.1.3 & 9.1.4

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:

Cr Carey	9.2.9 & 9.4.2
Cr Topelberg	Nil
Cr Buckels	Nil
Cr McGrath	9.1.5, 9.2.1 & 9.5.2
Cr Wilcox	Nil
Cr Pintabona	Nil
Cr Harley	Nil
Cr Maier	9.2.3 & 9.4.1
Mayor Hon. MacTiernan	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 9.1.1, 9.1.2, 9.2.2, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.2.10, 9.3.1, 9.5.1, 9.5.3 & 9.5.6

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

Item 14.1.

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 9.1.1, 9.1.2, 9.2.2, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.2.10, 9.3.1, 9.5.1, 9.5.3 & 9.5.6

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

Items 9.1.3 & 9.1.4

(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 Pintabona Seconded Cr Wilcox

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

Items 9.1.1, 9.1.2, 9.2.2, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.2.10, 9.3.1, 9.5.1, 9.5.3 & 9.5.6

CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

9.1.1 No. 3 (Lot 501; D/P 66731) Chelsea Street, corner of Robertson and Edward Streets, Perth – Proposed Construction of Four (4) Storey Mixed Use Development Comprising One (1) Restaurant, Two (2) Offices, One (1) Multiple Dwelling and Associated Car Parking

Ward:	South	Date:	28 September 2012
Precinct:	East Perth Redevelopment Authority Area – Claisebrook Road North Precinct 15	File Ref:	PRO5704; 5.2012.274.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

CORRECTED OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions and powers of both the Local Government (Change of Districts Boundaries) Order 2007 and the Local Government (Constitution) Regulations 1998, allowing the City of Vincent to, in effect, administer the East Perth Redevelopment Authority Scheme No. 1 as if it were its own Scheme and the Metropolitan Region Scheme, APPROVES the application submitted by Sandra Bransby on behalf of the owner Vespoli Property Investments Private Limited for Proposed Construction of Four (4) Storey Mixed Use Development Comprising One (1) Restaurant, Two (2) Offices, One (1) Multiple Dwelling and Associated Car Parking at No. 3 (Lot 501; D/P: 66731) Chelsea Street, corner of Robertson and Edward Streets, Perth, in accordance with plans stamp dated 20 June 2012 and amended plans stamp-dated 6 September 2012 and 21 September 2012, subject to the following conditions:

1. Building

- 1.1 All new 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 Chelsea Street, Edward Street and Roberson Streets;
- 1.2 Doors, windows and adjacent floor areas facing Robertson and Edward Streets shall maintain active and interactive relationships with these streets; and
- 1.3 The maximum gross floor area of the restaurant and office shall be limited to 80 square metres and 692 square metres respectively. Any increase in floor space or change of use of the office or restaurant shall require Planning Approval to be applied for and obtained from the City. Any change of use shall be assessed in accordance with the relevant Planning Policy including the East Perth Redevelopment Scheme No. 1;

2. Car Parking and Accessways

- 2.1 The on-site car parking area for the non-residential component shall be available for the occupiers and visitors of the residential component outside normal business hours;
- 2.2 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;
- 2.3 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;

- 2.4 The car park shall be used only by residents, employees, tenants, and visitors directly associated with the development;
- 2.5 Minimum of one (1) car bay shall be provided for the residents. The one (1) car bay provided for the residential component shall be clearly marked and signposted for the exclusive use of the residents of the development;
- 2.6 Eleven (11) car bays shall be provided for the restaurant and office. ~~The eleven (11) car bays shall be clearly marked and signposted for the exclusive use of the residents and customers of the restaurant after hours and for commercial visitors including customers of the restaurant of the development during business hours;~~
3. **Public Art**
The owner(s), or the applicant on behalf of the owner(s), shall comply with the East Perth Redevelopment Scheme Planning Policy No. 1.9 relating to Public Art, including:
- 3.1 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 \$18,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,800,000); and
- In conjunction with the above chosen option;
- Option 1 –
Prior to the approval and subsequent issue of a Building Permit for 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
- Option 2 –
Prior to the approval and subsequent issue of a Building Permit for the development or prior to the due date specified in the invoice issued by the City for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;
4. **Signage**
All signage 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;
5. **Fencing**
Any new street/front wall, fence and gate within the Robertson and Edward Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City’s Policy provisions relating to Street Walls and Fences;
6. **Footpath**
- 6.1 In keeping with the City’s practice for multiple dwellings, commercial, retail and similar developments, the footpaths and associated kerbing adjacent to the subject land are to be upgraded, by the applicant, to an acceptable standard, to the City’s specification. A refundable footpath upgrade bond of \$30,000 shall be lodged prior to the issue of a building permit and will be held until all works have been completed and/or any damage to the existing facilities have been re-instated to the satisfaction of the City’s Director Technical Services. All work shall be carried out in liaison with the City. An application to the City for the refund of the upgrade bond must be made in writing; and

- 6.2 All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and Right of Way levels to the satisfaction of the City's Director Technical Services;
7. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT application, the following shall be submitted to and approved by the City:**
- 7.1 **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. As a guide the applicant is required to refer to the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for Approval Proforma;
- 7.2 **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:
- (a) 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
 - (b) the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. The on-site car parking was in accordance with the requirements of the Residential Design Codes and the Perth Parking Policy.
- This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;
- 7.3 **Landscape and Reticulation Plan**
A detailed landscape and reticulation plan for the development site and adjoining road verges shall be submitted to the City's Parks and Property Services for assessment and approval by the City.
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:
- (a) The location and type of existing and proposed trees and plants;
 - (b) All vegetation including lawns;
 - (c) Areas to be irrigated or reticulated;
 - (d) Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
 - (e) Separate soft (minimum 10 percent) and hard landscaping plans (indicating details of plant species and materials to be used).
- Planting and trees to be provided at the western ground floor paved area in consultation with the City and approved by the City.
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);
- 7.4 **Schedule of External Finishes**
A detailed schedule of external finishes (including materials and colour schemes and details);

7.5 **Acoustic Report**

An Acoustic Report shall be prepared and submitted to the City for approval. 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. As a guide, the applicant is required to refer to the City's Policy No. 3.5.21 relating to Sound Attenuation; and

7.6 **Car Parking**

All car parking bays shall be dimensioned on the Building Permit application working drawings and all car parking facilities shall meet or exceed the minimum specifications of AS2890;

8. **Main Roads WA Conditions**

The applicant is required to undertake a Transport Noise Assessment in accordance with the guidelines of the Western Australian Planning Commission State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning"; and

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

9.1 **Bicycle Parking**

Bicycle bays for the commercial component, shall be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3;

9.2 **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; and

9.3 **Management Plan- Vehicular Entry Gates**

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

10. 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.

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

COUNCIL DECISION ITEM 9.1.1

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

Development Applications for more than three storey development are required to be considered by the Council.

BACKGROUND:

The subject site was previously owned by Main Roads Western Australia and surplus to requirements for the Graham Farmer Freeway. Through the subdivision process the subject lot was created and sold.

History:

Date	Comment
26 August 2009	The Western Australian Planning Commission conditionally approved the subdivision application.

Previous Reports to Council:

Not applicable.

DETAILS:

Landowner:	Vespoli Property Investments Private Limited
Applicant:	Sandra Bransby
Zoning:	Metropolitan Region Scheme: Urban East Perth Redevelopment Scheme No. 1: Residential R80
Existing Land Use:	Vacant Land
Use Class:	Restaurant, Office, Multiple Dwellings
Use Classification:	"Preferred Uses"
Lot Area:	574 square metres
Right of Way:	Not applicable

The proposal is for construction of a four storey mixed use development comprising one (1) restaurant, two (2) offices, one (1) multiple dwelling and associated car parking.

ASSESSMENT:

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

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

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

Issue/Design Element: Plot Ratio	
Requirement:	East Perth Redevelopment Scheme No. 1 Plot Ratio – 1 (574 square metres) or the plot ratio may be increased to a maximum of 1.5, provided that in any development having a plot ratio in excess of 1.0, not less than 50% of the excess relevant floor area shall be dedicated to residential use. In this instance, the applicant complies with this requirement providing not less 50% of the excess floor area as residential. Therefore the plot applicable for this proposal is 1.5 = 861 square metres
Applicants Proposal:	Plot Ratio= 1.51 = 866.74 square metres
Performance Criteria:	P1 Development of the building is at a bulk and scale intended in the local planning scheme and is consistent with the existing or future desired built form of the locality.
Applicant justification summary:	<i>“Through an appropriate composition of building elements, textures, material and colours, a bold and articulated building delivers a solid built form with extensive surveillance and assimilation with the prevailing streetscape.</i>
Officer technical comment:	The proposed development is considered to comply with these performance criteria. <ul style="list-style-type: none"> • The proposed building/development is consistent with the current and desired built form of the locality. • The variation to the plot ratio is minimal and will not have any undue impact in terms of bulk and scale. • The design treatment of the building in terms of articulation, and façade treatments minimises the bulk of the building on the streetscape and adjoining properties. • The proposal complies with the required number of storeys and setback

Parking

Car Parking

The East Perth Area remains within the Perth Parking Management Act 1999 area and any parking requirement is to be assessed against the Perth Parking Policy. For residential parking the requirement is as per the R-Codes. There are 12 parking bays provided for the development on the ground floor.

The car parking required for the residential component is calculated as per the R-Codes as follows:

Car Parking	
Large Multiple Dwelling based on size (>110 square metres) – 1.25 bay per dwelling (1 multiple dwelling) = 1.25 car bay = 1 car bay	1 car bays
Visitors = 0.25 per dwelling (1 multiple dwelling proposed) = 0.25 car bay = Nil	
Total car bays required = 1 car bay	
Total car bays provided	12 car bays
Surplus	11 car bays

For the non-residential use, the Perth Parking Policy stipulates maximum parking allowed on a site; there is no requirement for minimum car parking. In this instance, the maximum car parking allowed for this site is 12 car bays. Given that there is no minimum, the proposal complies with the parking requirements as 11 car bays are provided for the commercial component.

Bicycle Parking

Bicycle Parking		
Bicycle Parking	Commercial component- as per the East Perth Redevelopment Scheme No. 1 the requirement is for provision for secure bicycle parking - Bike racks are provided on the ground floor. Residential component (as per the R-Codes – 1 bicycle space to each 3 dwellings for residents and 1 bicycle space to each 10 dwellings for visitors (total 1 dwelling proposed): Nil bays for the residents.	Bike racks are provided

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	1 August 2012 to 22 August 2012
Comments Received:	One objection was received

Summary of Comments Received:	Officers Technical Comment:
<p><i>"The proposed construction overshadows our newly renovated warehouse at Our new premises were meant to greatly enhance the visual appeal of the City of Vincent in Precinct 15. Since we were required to provide the City of Vincent with public art worth \$80,000, we would prefer that our landscaping and public art not be completely blocked out by the imposing development proposed here. At the very least, we would recommend that the landscaping around the proposed development would match or mirror our landscaping, including a row of trees and thoughtful handling of the paving. This would be more beneficial to the great need of green space in our precinct."</i></p>	Dismiss – As per the R-Codes the site complies with the overshadowing requirements and with the guidelines in terms of height and setbacks. In terms of setbacks the requirement is for commercial development to have zero setbacks to the streets. The lot shape and narrow footpaths limit the opportunity for landscaping. There is the opportunity for small areas of landscaping and trees to be located in the paved courtyard and footpath on the western end ground floor and this is conditioned to be designed in consultation and approved by the City.
<p>Main Roads Western Australia</p> <p>No objection to the proposed development subject to a transport noise assessment being undertaken in accordance with the guidelines of the Western Australian Planning Commission's State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning'. All noise amelioration measures recommended in the noise report should be included in the design and construction of the building.</p>	Noted.

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

Design Advisory Committee:

Referred to Design Advisory Committee: Yes

The application was presented to the Design Advisory Committee on 4 April 2012 which resulted in the following recommendations:

1. *Improve the visual relationship and connection of lower level areas with the new buildings on the north-west side.*
2. *Review the requirement for an additional escape stair.*
3. *Reduce the visual impact of the upper level, consider more articulation and a lighter roof reduce the depth of the roof fascia.*
4. *Improve the apartment access to north light and natural ventilation.*
5. *Resolve the entry stair progressing through different fire zones.*
6. *Liaise with authorities to resolve footpath reinstatement and removal of street lighting.*

The applicant redesigned the building to address the recommendations as follows:

1. *Improve the visual relationship and connection of lower level areas with the new buildings on the north-west side.*
Additional glazing was provided to the office levels as well as additional balconies, enhancing the outlook to the north/west and the interaction between the adjoining properties opposite Robertson Street.
2. *Review the requirement for an additional escape stair.*
An additional fire escape stair well has been provided to the rear of the car park, adjacent to the north/west boundary, ensuring the developments compliance with the BCA.
3. *Reduce the visual impact of the upper floor, consider more articulation and a lighter roof reduce the depth of the roof fascia.*
The design of the roof to the 4th level dwelling has been amended to reflect a significantly lighter structure to the top floor. The 4th floor elevations are articulated through varying setbacks and the incorporation of extensive balconies. Furthermore, the flat roof design replicates the bulk and built form presented in the new building directly opposite Robertson Street.
4. *Improve the apartment access to north light and natural ventilation.*
The northern elevation to the dwelling is amended to incorporate openings to the habitable rooms, with all bedrooms and living areas having more than one opening to enhance cross ventilation within the dwelling.
5. *Resolve the entry stair progressing through different fire zones.*
The entry stairs have been amended to provide an entirely enclosed staircase on all levels to contain it within its own fire zone.
6. *Liaise with authorities to resolve footpath reinstatement and removal of street lighting.*
An attached plan prepared by the City's Engineering Department reflects the required amendments to the footpath, road and parking area to reflect the new lot and to facilitate development on the property. The amendments propose removal of kerbing and bitumen parking area, removal of footpath within lot boundaries and reinstate new footpath to the perimeter of the lot boundary and new kerbing.

It is considered that the plans generally address the recommendations of the Design Advisory Committee.

LEGAL/POLICY:

East Perth Redevelopment Scheme No. 1 and Associated Policies.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 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 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
Northern light accessing the apartment reduces the reliance on artificial heating, lighting and cooling.	

SOCIAL	
Issue	Comment
The proposal includes one multiple dwelling which will provide the opportunity for greater housing choice within the City.	

ECONOMIC	
Issue	Comment
The construction of the building will provide short term employment and the building will provide additional office and hospitality employment opportunities.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

Planning

The subject planning application is considered to generally improve the streetscape and surrounding area through the redevelopment of an under-utilised site, which will provide a catalyst for other sites to be developed in the same manner. The proposed development addressed the Design Advisory Committee recommendations. The proposed dwelling does not occupy the full area of the site and the proposed design treatment (articulation, detailing and colour) to the building is considered to mitigate the bulkiness and height of the building.

It is considered that the area is currently underdeveloped and presents an opportunity for intensification and regeneration. Strategically, the immediate and surrounding areas have significant potential as regeneration areas given the location of the Claisebrook Station within walking distance from this area. Moreover the proposed development is consistent with the design guidelines and the general vision for the area. It is also considered the significance of this development will provide an impetus for future high density mixed-use development throughout this area. Therefore the minor variation to the plot ratio is supported.

In light of the above, the planning application is recommended for approval, subject to standard and appropriate conditions.

9.1.2 Unit 3 & 4, Nos. 434 – 446 (Lot 4) Lord Street, Perth – Proposed Change of Use from Office to Office and Ancillary Shop (~~Prison Fellowship~~) (Retrospective Application)

Ward:	South	Date:	28 September 2012
Precinct:	Banks, P15	File Ref:	PRO1683; 5.2011.523.2
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

CORRECTED 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 Prison Fellowship Australia (WA) on behalf of the owners Prefama Pty Ltd for Proposed Change of Use from Office to Office and Ancillary Shop (~~Prison Fellowship~~) (Retrospective Application) at Units 3 & 4, Nos. 434 - 446 (Lot 4; D/P 42026) Lord Street, Mount Lawley, and as shown on plans date stamped 14 October 2011 and amended plans date stamped 20 December 2011, subject to the following conditions:

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Lord Street;
2. Doors, windows and adjacent floor areas facing Lord Street at ground level shall maintain active and interactive relationships with this street;
3. The maximum gross floor area of the Ancillary Retail Shop component shall be limited to 128 square metres. Any increase in floor space or change of use shall require Planning Approval to be applied to and obtained from the City. Any change of use shall be assessed in accordance with the relevant Planning Policy including Policy No. 3.7.1 relating to Parking and Access;
4. ~~Any proposed change of use of the tenancy following cessation of the Ancillary Prison Fellowship shop will require further planning approval from the City;~~ The use of Unit 4 (Ancillary Shop) shall be linked to that of Unit 3 (Office) and must be of an ancillary use to that of Unit 3;
5. 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;
6. All signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and
7. 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.

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

COUNCIL DECISION ITEM 9.1.2

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

Landowner:	Prefama Pty Ltd
Applicant:	Prison Fellowship Australia - WA
Zoning:	Metropolitan Region Scheme (MRS): Urban and Other Regional Road Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Office
Use Class:	Shop
Use Classification:	“P”
Lot Area:	3018 Square metres
Right of Way:	Eastern Side, 4.02 metres Width, Sealed, Public

PURPOSE OF REPORT:

The application is referred to a meeting of the Council as there is no delegation to consider an application with a parking shortfall of more than five (5) car parking bays.

BACKGROUND:

No specific background relates to this report.

History:

Not Applicable

Previous Reports to Council:

Nil.

DETAILS:

The applicant (Prison Fellowship Australia – WA) has applied to the City to seek retrospective approval to operate a tenancy on site as a Retail Shop for their operations. The retail shop functions as a second hand clothing store with an area of 128.5m² along with an area of 28m² set aside for storage. The retail shop is also associated with the outreach/fundraising operations of the Prison Fellowship Office in the adjoining tenancy (3/434-446 Lord Street). The premises are open six (6) days per week from 9 am - 5 pm, with two (2) employees.

The tenancy is located on a significant site near the corner of Lord Street and Guildford Road, which includes the Koorong Educational Facility. This facility houses a large parking area to the rear of the site, which backs onto West Parade and a large car park with access off Lord Street.

The applicant has provided the following comment in relation to the use of the shop:

“Prison Fellowship WA moved out of the City to the premises in Lord Street, Mount Lawley so we could expand our Ministry. This move has proved invaluable. One of the ideas we had was to start a second hand clothing store so we could provide continuing help to the many people we have come to know and to the Local Community as well as helping to finance our growing work.

The average number of customers per day is 25-30. This number has been ascertained from a counter we have placed on the door to count visitors. Around 98% of our shop customers are people who are already visiting Koorong Bookshop and are not additional customers to the area. Most come to inquire about our work in Prisons and perhaps see if they can support our Ministry. Some also buy product from us. It would appear to us that we are not increasing the number of cars...more being an additional place people who are already coming to visit Koorong choose to visit us as well."

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		
Front Fence	N/A		
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		
Essential Facilities	N/A		

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

No variations are proposed by the development to the Town Planning Scheme apart from the proposed car parking provisions of the City's Clause 3.7.1 relating to Parking and Access, which are detailed below.

Proposed Car Parking Calculation

Car Parking Calculation	
Car parking requirement (nearest whole number) – Unit 1 - Consulting Rooms (x 1)– Three (3) bays per Consulting Rooms (3.00 bays) and Health Studio (1 bay per 30m2 GF) (65.55m2 – 2.185 bays) Unit 2 - Educational Establishment – Approved as Max. 20 Students – (1.0 bay per 4 students - 5.00 bays) Unit 3 - Office (Approved as Office Previously –OMC 25/04/2004) (Unit 3) – 1 bay per 50m2 GFA (109.5m2 – 2.19 bays) Unit 4 – Proposed Retail Shop (Unit 4) – 1 bay per 15m2 GFA (128.5m2 – 8.566 bays) Koorong Facility – – Bookshop (636m2 - 42.4 bays) – Office (35m2 – 0.7 bays) – Eating House (60m2 -13.3 bays) – Warehouse (167m2 – 3.00 bays) Total - 80.341 car bays	Required = 80.00 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> ▪ 0.85 (The proposed development is within 400 metres of a bus stop) ▪ 0.80 (The proposed development is within 400 metres of a rail station) ▪ 0.95 (Secure on-site and/or adjacent street bicycle parking) 	(0.6846) = 54.4 51.68 car bays
Minus the car parking provided on-site.	41.00 car bays

Minus the most recently approved on-site car parking shortfall	
Ordinary Meeting of Council – 27 February 2007 – (Proposed Change of Use of Unit 2 from Showroom to Educational Establishment)	3.876 car bays
New Shortfall	9.524 <u>6.804</u> car bays

Bicycle Parking		
Bicycle Parking	<ul style="list-style-type: none"> One (1) Space per 300m² of Retail –128.5m² proposed (0.42) - Nil spaces required. (Class 1 or 2) One (1) Space per 300m² of Retail – 128.5m²- Nil spaces proposed. (Class 3) 	Nil bicycle bays are provided

Given the existing shop tenancy has a floor area of 128.5m² and therefore less than half the floor area required for the requirement of one (1) bicycle space no Class 1, 2 or 3 bicycle facilities are required.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	12 January 2012 and 25 January 2012.
Comments Received:	Neighbour consultation was undertaken in relation to the proposed car parking variations. No comments were received.

Design Advisory Committee:

Referred to Design Advisory Committee: No

LEGAL/POLICY:

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

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."*

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 a retail shop. The adaptive use of this existing space has a lower environmental impact compared to constructing a new building for this purpose. In addition the shop, through its use as a recycled clothing shop, provides for a sustainable reuse of materials and allows for a reduced environmental impact.	

SOCIAL	
Issue	Comment
The use will provide opportunities for fundraising for a charitable organisation.	

ECONOMIC	
Issue	Comment
The retail shop provides employment opportunities in the community.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

Car Parking

Given the parking shortfall proposed of ~~9,524~~ 6,804 car parking bays over the subject property, the applicable cash in lieu payment required is ~~\$33,334~~ 23,814 based on \$3,500 per bay. The fact the applicant is a charitable organisation, given the change of use of the tenancy from an approved office to a second hand retail shop, it is not expected the use will generate a significant amount of further clientele than what is already approved. The City's Ranger and Community Safety Services have noted no complaints have been recorded in respect of the current parking on site and any overflow from the site whilst the shop has been in operation.

It is also considered that as the entity is a charitable organisation it would be a marginal decision for the payment of such a substantial figure to be made and for the use to continue. Whilst there is no provision within the City's Policy 3.7.1 relating to Parking and Access, for the City to consider waiving or reducing cash in lieu payment, in this case, it would seem applicable for the City to exercise its discretion.

In view of the above and consideration that the proposal is for the use of the as a relatively small retail shop which does not generate a substantial increase in traffic to the site, it is considered the forty-one (41) car parking on site car bays would be sufficient to accommodate all current uses on site. The nature of the premises for a charitable organisation which has been noted to be closely linked in the patronage to the adjoining Koorong Facility ensures that the shortfall in parking can be adequately accommodated.

In light of the above, it is recommended the proposal be supported subject to the conditions listed above with no cash-in-lieu payment for car parking required and in the event the Prison Fellowship shop ceases, further planning approval would be required for any change of use.

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

9.2.2 Alternative Uses for Car Parking Bays in Town Centres – Progress Report No. 3

Ward:	Both	Date:	28 September 2012
Precinct:	ALL	File Ref:	PLA0084
Attachments:	001 – Proposed Locations		
Tables Items:	-		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

CORRECTED OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the following:

- 1.1 a ~~six (6) month~~ **four (4) month** 'On Road Cafe' trial in Oxford Street Leederville in the locations as outlined in the report, estimated to cost ~~\$3,000~~ **\$2,000**, as shown on attached Plan No 2982-CP-01A; and
- 1.2 an 'On Road Bicycle Parking' Trial in the Newcastle Street using a 'car shaped bicycle parking rack', as outlined in the report, estimated to cost \$3,000 as shown on attached Plan No 2982-CP-01A; and

2. **AUTHORISES** the Chief Executive Officer to enter into agreements, for the 'On Road Cafe' trial, as outlined in the report, with the ~~two (2)~~ adjoining businesses prior to progressing with the trial; and
3. **INFORMS** the Leederville Business Community of the proposal prior to implementing the trial; and
4. **REQUESTS** that the matter be presented to a Council Forum followed by a detailed report sometime in 2013 at the conclusion of the trial where the initiative can be further determined in the context of the 2013/2014 draft budget.

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

COUNCIL DECISION ITEM 9.2.2

Moved Cr Pintabona, **Seconded** Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide information on alternative uses for car parking bays in the City's Town Centres.

BACKGROUND:

Ordinary meeting of Council held on 27 March 2012:

A further report was presented to the Council where, following considerable debate, the following decision was made;

“That the Council;

1. *APPROVES IN PRINCIPLE, where appropriate, using existing ‘On-Road’ car parking spaces for alternative uses as discussed in the report;*
2. *ESTABLISHES an “in-house” Working Group comprising of officers from Technical Services, Development Services and Community Services to develop some ‘draft’ guidelines for alternative uses for car parking spaces based on the New York ‘Pop-Up Café’ concept, as referred to in attachment 9.2.1A and B; and*
3. *NOTES that a further report on the matter will be submitted to the Council by no later than May 2012.”*

DETAILS:

Council Members Forum – 18 September 2012:

The Council was presented with some background and options to progress a trial using existing ‘On-Road’ car parking spaces for alternative uses.

The following outlines a brief summary of the presentation

New York - Pop up Café Concept:

This was discussed in the previous report to Council where the concept provided a *‘mechanism for the provision of seasonal outdoor public seating in one or more ‘on road’ parking bays as an amenity to pedestrians mainly in locations where footpath seating is not available, and to build well-designed public open spaces that invite people to stay’*

- The aim of the New York program was to provide outdoor public seating in on-street car parking bays where narrow footpaths often prevented traditional alfresco (as we know it);
- Pilot program was undertaken in 2010 and expanded in 2011;
- Guidelines and permits were set by the New York City Department of Transportation (DOT);
- The spaces were well used and well liked by the neighbourhood, which prompted additional sites;
- Each business applied to participate in the program and sought preliminary approval from the DOT and formal approval from the local community board;
- Businesses were required to comply with DOT guidelines prior to installation;
- Design and construction carried out by licensed architect / engineer;
- All costs for design, construction and maintenance borne by sponsorship business;
- Technical assistance provided by DOT through markings and flexible bollards;
- No alcohol or smoking permitted in the areas;
- Seating open to the public and not reserved for patrons of sponsoring business;
- No table service provided, but patrons could order and pay for goods inside and have them brought out to table; and
- Operated for summer months only.

Benefits and opportunities:

- Transforms inert spaces into enlivened social and cultural infrastructure;
- Generates more choices in opportunistic and accessible community gathering spaces;
- Creating more opportunities for community and business interface through the urban streetscape; and
- Provides a place for customers of take away food outlets along Oxford Street to sit and eat meal in comfortable space.

How would the City progress a trial?

It has been decided that the City would refer to the concept as On Road Cafe (ORC) and should the City set up the ORC or should the applicant set it up (for the trial)?

It was considered the City should 'set up' the trial ORC:

If the City was to set up the ORC the following is suggested:

- A formal agreement with the adjoining restaurant/cafe/other, would need to be entered into regarding:
 - Provision of tables/chairs?
 - Provision of shade;
 - Cleaning/maintenance;
 - Conditions of use, hours, alcohol etc...
 - Who could use etc (restricted to adjoining premises/anyone?);

The City would then need to undertake the following:

- Install timber flooring 1.80m wide (A car bay is typically 2.3 to 2.5m wide);
- Install kerb stops either side of flooring;
- Install (some) removable bollards along the road side of the structure;
- Supply and place planter boxes around the perimeter of the flooring (for protection) and ensure access to the ORC was only gained via the footpath;
- Ensure its public liability insurance allowed for people to be sitting (effectively) in the roadway, with moving traffic in the immediately adjacent lane;
- Set clear guidelines for what is approved – e.g. no chairs on the carriageway side of the alfresco area;
- Provision of universal access and be accessible to all users, and not exclusive to adjacent eating house / food outlet; and
- The area would remain a public space and not be an extension of an alfresco area to particular foot outlet, due to ramifications with licence and planning approvals.

The adjoining business would need to agree to undertake the following:

- Provide the seating/shade;
- Maintain the ORC including the vegetation in the planter boxes;
- Conditions of use - e.g. hours of operation/who can use/alcohol/smoking;
- Immediately report any matters to the City, i.e. Damage, safety issues etc;
- Area being accessible to all users, and not exclusive to adjoining foot outlet; and
- Area not being an extension of adjacent business, due to licence and approval ramifications.

Possible suitable locations:

As previously reported to the Council, locations that may be suitable include low speed roads with embayed parking e.g. Oxford Street, Angove Street and off road car parking areas in Town Centres. Unsuitable locations would include any District Distributor i.e. four lane roads and narrow roads less than 7.4m in width.

Suitable locations would include the following:

- Leederville (Oxford & Newcastle Streets & Carr Place);
- Mount Hawthorn (Scarborough Beach Road);
- Mount Lawley (Chelmsford or Raglan Road - nodes off Beaufort Street);
- Perth (William Street); and
- North Perth (Angove Street).

Preliminary discussions with Leederville Businesses:

Meetings were arranged with the following businesses all of which had previously expressed interest in having an ORC outside of their premises:

- Giardinis -135 Oxford Street;
- Foam Coffee 130 Oxford Street- Also interested in On Road Bike Rack but preference is for ORC if only one option; and
- Jus Burgers & Snags & Sons - 743 & 749 Newcastle Street - (Investigated sites neither site suitable as is for ORC).

Officer Comments:

All three (3) were happy to take part in 6 month trial and agreed with the basic conditions and responsibilities outlined however they were advised that only two (2) sites would be selected for the trial and that selection would also be subject to site inspection.

In further discussion with Jus Burgers & Snags & Sons, it was considered that this location may be suitable for an 'On Road Bicycle parking' Trial.

The cost to supply and install a 'car shaped' bicycle parking rack, which can accommodate 12 bikes, is in the order of \$3,000.

Approvals/Assessment:

- Guidelines and Application Form will be prepared;
- An Agreement would be put in place between the City and proprietors;
- Ranger Services would issue a permit;
- Technical Services to assess site and arrange installation of the ORC; and
- An assessment of the trial would be undertaken by the City's officers and the applicant.

Officer Comments:

As outlined above it is suggested that a trial be conducted in Oxford Street in Leederville. A formal agreement will be entered into with the interested adjoining business and the trial will be monitored closely (as was the case with the New York Trials).

There was discussion at the Forum that businesses in other areas of the City be given the opportunity to be considered for a trial however it is considered that this will be the flow on effect pending the success of otherwise of the proposed Leederville trial.

The Leederville trial will determine the future of the concept and whether it is rolled out to other areas in the future, who sets up in the future, who maintains etc.,

A presentation at a future Council Forum including detailed report will be presented to Council will be presented at the conclusion of the trial where the matter can be further determined in the context of the 2013/2014 draft budget.

RISK MANAGEMENT IMPLICATIONS:

As previously stated, the risk associated with persons conducting activities on a road way are high due to moving vehicles (at whatever speed) and vehicles manoeuvring in and out of adjoining parking bays. There is always the risk that driver behaviour may result in a mishap occurring and this risk needs to be managed.

Compliance with the requirements of the Occupational Safety & Health Act 1984 and the Occupational Safety & Health Regulations 1996 (or as amended) would need to be complied with.

In addition the City would need to take all necessary precautions to ensure the health and safety of all participants including the general public and shall bear the responsibility for any damage/injury occurring as a result of the event.

LGIS – Risk Management Comments:

The City's officers met with the Senior Risk consultant from LGIS in late 2010 to discuss alternative uses for car parking bays such as alfresco dining, provision of tables and chairs for socialising and/or bicycle parking etc within designated areas of the City of Vincent.

The following response highlighting some of the risk issues, and suggestions, was subsequently received:

"Using any of the City's infrastructure or assets for a purpose other than what they are intended and/or designed for exposes the City to additional risk.

In making a decision whether or not to go ahead with the proposed activity it is essential that the City

- is aware of those risk issues;*
- implements treatments to ensure it is doing what would be reasonably expected of it under the circumstances;*
- has a level of assurance that those controls are effective in managing the risk; and*
- that the level of risk is acceptable in light of the opportunities created by the proposed activity.*

Attached is an initial summary of the risk issues and possible treatments options for the concept of alternative uses for car parking bays in City centres looking the bump in/out and actual activity. The risk issues are captured at a high level, due to following limitations, but can be applied and quantified to any alternative use for car parking bays.

- Actual nature, scope, size, location and duration of the activity is yet to be defined; and*
- Whether the City is running, sponsoring, or just issuing approvals for the activity is yet to be determined."*

CONSULTATION/ADVERTISING:

Business's in Leederville will be consulted regarding setting up their trial.

LEGAL/POLICY:

Local Roads and Local and District distributors are under the care, control and management of local government. Any event on a road needs not only the approval of the local government but depending on the event may require endorsement of the Police and/or Main Roads WA.

Laws that apply include the City's relevant local laws, the Road Traffic Act and/or the Local Government Act.

STRATEGIC IMPLICATIONS:

No specific area within the City's Strategic Plan 2011-2016 matched this proposal, the closest states:

"Natural and Built Environment

Objective 4.1.4 Focus on stakeholder needs, values, engagement and involvement (a) Ensure stakeholders are effectively engaged on issues that may affect them."

SUSTAINABILITY IMPLICATIONS:

Possibly raise awareness of the importance of urban public spaces, rethinking the way streets are used and creating diverse conversations about making cities more sustainable.

FINANCIAL/BUDGET IMPLICATIONS:

A total of \$3,000 has been allocated in the 2010/2011 Budget for the alternative use of on road parking facilities. The estimated cost of the two (2) ORC's is \$2,000.

In addition, \$35,000 has been allocated in the 2012/2013 capital budget for bike racks and it is recommended that the 'car shaped' bicycle parking rack, which can accommodate twelve (12) bikes, estimated to cost \$3,000 i.e. \$250/bicycle park, be funded from this budget allocation.

COMMENTS:

It is recommended that the Council approves conducting a four (4) month 'On Road Cafe' trial in Oxford Street Leederville in the locations as outlined in the report and a 'On Road Bicycle parking' Trial in the locations as outlined in the report and as shown on attached Plan No 2982-CP-01A and authorises the Chief Executive Officer to enter into an agreement with the three adjoining business prior to progressing with the trial as outlined in the report;

It is further recommended that the Council informs the Leederville Business Community of the proposal prior to implementing the trial and requests that the matter be presented to a Council Forum followed by a detailed report sometime in 2013 at the conclusion of the trial where the matter can be further determined in the context of the 2013/2014 draft budget.

9.2.4 Proposed Traffic Management – Merredin Street, Mount Hawthorn

Ward:	North	Date:	28 September 2012
Precinct:	Mount Hawthorn (1)	File Ref:	TES0320
Attachments:	001 - Plan No 2980-CP-01 (half road closure)		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

That the Council;

1. **APPROVES** conducting three (3) month a ‘half road closure’ trial at the intersection of Merredin Street and Green Street as shown on attached Plan No 2980-CP-01 and advises all affected residents of the trial;
2. **UNDERTAKES** a traffic assessment of Merredin Street, Bondi Street and Matlock Street before implementing the trial and during the course of the trial;
3. **CONSULTS** with residents in Merredin Street and Bondi Street west of Egina Street at the conclusion of the trial seeking their comments on the proposal; and
4. **FURTHER** considers the matter at the conclusion of the trial and following the consultation with residents as per clause 3 above.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Pintabona, **Seconded** Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is advice the Council of a trial traffic treatment in Merredin Street, Mount Hawthorn to improve the street amenity.

BACKGROUND:

The City has received a number of complaints from residents living in Merredin Street regarding severe rat running during the morning peak period in the street.

This occurs due to the traffic congestion at the Green Street/Scarborough Beach Road intersection which causes delays for motorists travelling west along Green Street wishing to turn right into Scarborough beach Road.

DETAILS:

Merredin Street (formerly Tyler Street) comprises a short residential street which runs north/south between Green Street and Scarborough Beach Road.

Five (5) properties directly adjoin the street and even though technically the street is classified to carry 3,000 vehicles per day, given the number of properties, including the traffic from the greater residential area and based on an average number of vehicle trips per day, it would be expected that the traffic along this section of street should be no greater than 500 – 700 vehicles per day.

Traffic data

The most recent traffic data indicates that there are 1,417 average weekday vehicle movements in Merredin Street with 281 vehicle per hour in the morning peak period and 115 vehicles per hour in the evening peak period.

This suggests that there is a very high incidence of rat running in the street particularly in the morning peak. The 85% speed is only 40.0kph, which would be expected given the street is relatively short.

Proposed trial:

A number of options were examined to deter the rat running however it was considered that the most favourable option, which will have minimal impact on the residents, would be to implement a trial 'half road closure' at the northern end of the Merredin Street at Green Street (as shown on Plan No 2980-CP-01).

As the morning peak period generates about 280 vehicles per hour, (predominantly vehicles travelling west along Green Street turning right into Merredin Street to access Scarborough Beach Road), this would alleviate this

Residents, from Merredin Street and Bondi Street would still be able access Scarborough Beach Road and turn 'left and right' and they would still be able to turn left and right (and across) Green Street. The only manoeuvre they would not be able to do in left in off Green Street as this would be blocked off.

Residents from Merredin and Bondi Street travelling west along Green Street would be able to access their properties via Matlock Street.

CONSULTATION/ADVERTISING:

All affected residents will be advised of the trial and residents in Merredin Street and Bondi Street west of Egina Street will be consulted at the conclusion of the trial seeking their comments on the proposal;

LEGAL/POLICY:

Merredin Street is classified as an Access Road in accordance with the Functional Road Hierarchy and is under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

Medium: There is evidence that substantial rat running occurs along Merredin Street which could create a higher risk of accidents for residents accessing/egressing from their properties.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* 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:

The trial would cost in the order of \$1,000. There is \$15,000 allocated in the 2012/2013 budget for traffic improvements in the street.

COMMENTS:

Safety issues have been raised by residents of Merredin Street regarding the high incidence of rat running in the street.

It is therefore recommended that the proposed three month traffic management trial be supported and the residents be advised of the Council decision.

9.2.5 Proposed Wider Street Treatment/Traffic Management – Throssell Street, Perth

Ward:	South	Date:	28 September 2012
Precinct:	Hyde Park (12)	File Ref:	TES0591
Attachments:	001 – Plan No. 2981-CP-01 Street Treatment		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

That the Council;

1. **APPROVES IN PRINCIPLE the widening street treatment/traffic management proposal for Throssell Street, Perth as shown on attached Plan No 2981-CP-01;**
2. **CONSULTS with residents in Throssell Street regarding the proposal; and**
3. **FURTHER considers the matter at the conclusion the community consultation.**

COUNCIL DECISION ITEM 9.2.5

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is seek Council approval to consult with residents regarding widening street/traffic management proposal for Throssell Street, Perth to improve both the street amenity and safety for visitors/children to the accessible playground at Hyde park.

BACKGROUND:

The City has received a number of complaints from residents living in Throssell Street regarding rat running as a result of the permanent right turn ban at the Vincent/Fitzgerald Street intersection (east bound along Vincent turning into Fitzgerald).

DETAILS:

Throssell Street comprises a short residential street 10.0m in width which runs north/south between Vincent Street and Glendower Street.

Nine (9) properties directly adjoin the street on the western side (Hyde Park on the eastern side) and the street is classified to carry 3,000 vehicles per day. The street provides access and parking for visitors to Hyde Park and given its geographic location in the road network higher than usual traffic volumes would be expected (but well below the threshold of 3,000).

Traffic data

The most recent traffic data indicates that there are 1,295 average weekday vehicle movements in Throssell Street with 155 vehicle per hour in the morning peak period and 136 vehicles per hour in the evening peak period. The 85% speed is only 43.6kph

Proposal:

While the 85% speed is low given the width of the street and its function as both providing access to residential properties and to Hyde Park and particularly the Hyde Park Accessible playground, it is considered reasonable, in the interest of public safety, to implement a wider street treatment in the street with a mid block traffic slowing devise (speed hump). Refer attached Plan No 2981-CP-01.

These treatments are relatively inexpensive and have proved to be effective at other locations in the City. It may also deter rat runners from Vincent Street.

CONSULTATION/ADVERTISING:

Residents of Throssell Street will be consulted regarding the proposal.

LEGAL/POLICY:

Throssell Street is classified as an Access Road in accordance with the Functional Road Hierarchy and is under the Care, Control and Management of the City.

RISK MANAGEMENT IMPLICATIONS:

Medium: There is evidence that some rat running occurs along Throssell Street which could create a higher risk of accidents for residents and users of the Hyde Park assessable playground.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* 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:

There is \$20,000 allocated in the 2012/2013 budget for traffic improvements in the Street.

COMMENTS:

Safety issues have been raised by residents of Throssell Street and visitors to the Hyde Park assessable playground.

It is therefore recommended that the residents be consulted regarding the proposal and that the Council further consider the matter at the conclusion of the consultation.

9.2.6 Proposed Traffic Signal Phasing Changes and other works at the intersection Charles and Vincent Streets, North Perth/West Perth

Ward:	South	Date:	28 September 2012
Precinct:	Hyde Park (12), Smiths Lake (6), Cleaver (5)	File Ref:	TES0001, TES0045 & TES0173
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** the two (2) Options proposed by Main Roads Western Australia's to modify the traffic signal phasing, and other associate works, at the intersection of Charles and Vincent Streets, North Perth/West Perth, as outlined in the report; and
2. **ADVISES** Main Roads Western Australia that Option 2, the retention of the right turn pocket in Vincent Street east bound, with a dedicated turning phase, into Charles Street south bound, is the City's preferred Option.

COUNCIL DECISION ITEM 9.2.6

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of Main Roads Western Australia's (MRWA's) proposal to change the traffic signal phasing, and other associated works, at the intersection of Charles and Vincent Streets, North Perth/West Perth, to improve the safety and efficiency of the intersection.

BACKGROUND:

Main Roads Western Australia (MRWA) recently wrote to the City advising that they intend on making improvements to the intersection of Charles and Vincent Streets for reasons of both safety and efficiency.

Charles Street is a Primary Distributor Road under the care and control of MRWA while Vincent Street is a District Distributor A Road under the care and control of the City.

MRWA has prepared two (2) options to undertake some modifications to the signal phasings at the intersection but before proceeding to a detailed design phase and cost estimate of either concept, they are seeking Council's comments and an indication of preference of either of the two proposals.

DETAILS:

Black Spot:

The intersection is classified as a Black Spot and is currently ranked number thirty six (36) in the State for accident frequency and number forty seven (47) for costs. In the five (5) year period 1 January 2007 to 31 December 2011 there were 160 recorded accidents, resulting in four (4) hospital admissions, thirty (30) requiring medical assistance and eighty four (84) classified as major property damage.

In respect of traffic volumes a video study undertaken in May 2011 indicated that for a fifteen (15) hour period on a Tuesday, between 6.00am and 9.00pm, there were some 47,000 vehicle movements.

MRWA proposals:

In August 2012 MRWA wrote to the City advising that:

“Main Roads WA has conducted investigations regarding the incidence of crashes occurring at this location. The analysis of crash statistics indicates that over a 5 year period there were a total of 160 recorded crashes, including 79 rear end type crashes, 41 right turn thru crashes, 14 sideswipes and 8 right angle type crashes. The right turn thru crash pattern history is as follows:

- 13 crashes on Charles Street involving vehicles travelling from the south;
- 9 crashes on Charles Street involving vehicles travelling from the north;
- 8 crashes on Vincent Street involving vehicles travelling from the west;
- 8 crashes on Vincent Street involving vehicles travelling from the east; and
- 3 crashes had no directional information recorded, but are included in the overall total of 41 recorded crashes.

After extensive analysis of the crash data and traffic modelling, Main Roads WA has identified that the best 2 options that can be implemented to address and improve safety at this location are:

- *Ban the right turn movement permanently from Vincent Street west approach. Introduce single diamond phasing on Charles Street with no right turn filter movement, introduce a leading right turn on Vincent Street east approach with no right turn filter movement; and*
- *Retain the existing right turn pocket on Vincent Street west approach, introduce single diamond phasing on Charles Street with no right turn filter and a lead/lag movement on Vincent Street approaches with no right turn filter.*

As part of the works, the right turn pocket on Charles Street south approach is to be extended to make the total length of pocket to 120m and traffic signal lanterns to be upgraded to LED's.

A SIDRA (Signalised and Un-signalised Intersection Design and Research Aid) analysis indicates that heavy queuing is already present at this intersection especially during peak periods. The first option outlined above, is more efficient in terms of traffic flow.

If the second option is preferred by the City of Vincent, then Main Roads WA, upon completion of the proposed works will monitor the intersection for 2 years. If there appears to be efficiency problems, Main Roads WA will then again approach the City of Vincent to either implement option 1 or to widen Vincent Street east approach to allow for installation of a right turn pocket.

Currently, there are no funds available to undertake this work, however Main Roads WA will endeavour to have this project included in future Black Spot Programs.

Main Roads WA seeks written concurrence and approval from the City of Vincent for the proposed works. We also request Council to indicate their preferred option of treatment as outlined above.

Option 1

“Ban the right turn movement permanently from Vincent Street west approach. Introduce single diamond phasing on Charles Street with no right turn filter movement, introduce a leading right turn on Vincent Street east approach with no right turn filter movement.”

Currently there is right turn pocket in Vincent Street on approach to the intersection east bound to facilitate the right turn into Charles Street south bound.

This proposal would see the turning pocket closed and a *No Right Turn* ban imposed. Therefore motorists wishing to make this movement will either use the following as an alternative to access Charles Street:

- Loftus and Carr Streets
- Loftus and Newcastle Streets or
- Cleaver or Florence Streets via Carr Street.

In respect of volumes this equates to approximately 340 vehicles per average weekday including an average 15 vehicles in both the AM and PM peak period. This would suggest that more motorists use the intersection (averaging some 23 vehicles per hour between 6.00am and 9.00pm) outside the peak periods when it is easier.

Note: If the turning pocket was closed, thereby creating in a wider median, the area could be either paved or landscaped.

In regards the phasing for the west bound Vincent Street traffic approaching the intersection wanting to turn right into Charles Street north bound there is a *leading* green arrow, meaning the east bound traffic cannot go. The arrow changes to red stopping the right turn.

Currently after a number of seconds the red arrow goes off meaning that the traffic can turn right if safe. This proposal will see leading green arrow remain but once it turns red it stays red for the remainder of the cycle.

Both options include lengthening the right turn pocket in Charles Street north bound by approximately 50m to 120m in length the justification being that there are currently 3,392 right turn movements from Charles Street north bound into Bulwer Street east bound per average weekday of which 255 are in the morning peak and 347 are in the evening peak. As a consequence it is common for the right turning traffic to block the through traffic when the queue exceeds the current turning pocket length.

As with the Vincent Street, once the leading green arrows change to red they will remain red for the rest of the cycle.

Note: The above measures should result in significant reduction in ‘right-through’ accidents of which there was 41 in the five (5) year assessment period.

Option 2

“Retain the existing right turn pocket on Vincent Street west approach, introduce single diamond phasing on Charles Street with no right turn filter and a lead/lag movement on Vincent Street approaches with no right turn filter.”

The major difference between the two (2) options is that in Option 2 the turning pocket would remain. It would operate under a right turn ‘arrow’ control rather than the current, and hazardous, situation where the majority of traffic turns right on the amber or red light. *It would be a very short phase, i.e. 5 seconds, either at the start of the cycle and operate in tandem with the right turn from Vincent Street into Charles Street north bound* or at the end of the phase.* Main Roads are yet to model the changes to determine which is the more efficient.

Note: The right turn arrow/phase into Charles Street north bound would continue to be considerably longer to reflect the existing right turn traffic volumes (1,818 per average week day).

If a leading right turn arrow phase (into Charles Street south) is installed there would be a 5 second period when both movements operated in tandem. The south bound movement would change to red while the north bound movement would continue to run. The west bound straight through traffic would then be released, followed by the east bound straight through traffic as per the current cycle.

Discussion/Comments:

Option 1:

The main advantage of option 1 is that it should lead to a reduction in the number of accidents at the intersection while the disadvantage is the potential impact upon the Cleaver Precinct.

It could be expected that the majority of the traffic that previously turned right into Charles Street south bound would filter through the precinct via Florence, Cleaver and/or Carr Streets.

Option 2:

This would maintain the status quo in respect of the Cleaver Precinct traffic but will not deliver the same efficiency improvements as it adds an extra phase to the cycle, albeit a short phase.

While 340 vehicles distributed across three (3) streets over a 24 hour period is not excessive it will impact upon the amenity of the residents of the Cleaver Precinct. However, the precinct is a (and last) 40 kph Local Area Traffic Zone and the nature of journey of the displaced vehicles, i.e. rat running, would suggest that driver are unlikely to rigidly adhere to the speed limit.

The extension of the right turn pocket/slip lane in Charles Street north bound, approaching Vincent Street east bound, is an obvious network improvement that has minimal impact upon the area while providing immediate improvements to traffic flow. The works will however require the relocation of a street light and the removal of a small median tree.

In respect of pedestrian crossing facilities Main Roads do not intend on making any changes at this time.

The project would fully funded by Main Roads other than the any landscaping improvements the City wishes to undertake if the right turn pocket in Vincent Street were closed.

CONSULTATION/ADVERTISING:

If the Council adopts Option 2, the retention of the turn pocket with the turning phase, the Cleaver Precinct is not unduly affected and therefore MRWA would be requested to provide the local community with the relevant information prior to the works commencing.

If Option 1 were to proceed than it would be recommended that a full public consultation phase, including a Public Meeting, is undertaken.

LEGAL/POLICY:

The proposed works would under the direction of MRWA as would the final traffic signals configuration and operation.

RISK MANAGEMENT IMPLICATIONS:

High: Black Spots are locations that have recorded five (5) or more accidents over a five year period.

STRATEGIC IMPLICATIONS:

The *Strategic Plan 2011-2016* 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 Cities infrastructure, assets and community facilities to provide a safe, sustainable and functional environment”.

SUSTAINABILITY IMPLICATIONS:

Improved safety for road users.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

While MRWA's preference is Option 1 they have indicated in their letter that they are prepared to accept Option 2 as a viable alternative. Further, they would monitor the situation for 2 years and if there are no tangible efficiency improvements again seek Councils support to implement Option 1.

While the proposals, discussed in the report are not on MRWA's current capital works budget and, at earliest, would not undertaken until the latter part of 2013 it is considered prudent that the Council advises MRWA of its position on the proposal.

Due to the history of traffic in the Cleaver Precinct over the years it is recommended that MRWA be advised that the Council preferred option is Option 2 i.e. the retention of the right turn pocket in Vincent Street east bound, with a dedicated turning phase, into Charles Street south bound to minimise any future potential increase in traffic within the Cleaver Precinct area.

9.2.7 Proposed 2013 'Smoke Free Perth Criterium's' Cycling Series – Leederville Race

Ward:	South	Date:	28 September 2012
Precinct:	Oxford Centre (4)	File Ref:	TES0172 & CMS0033
Attachments:	001 – 2013 Criterium Series Leederville Overall Set Up Summary		
Tabled Items:	Nil		
Reporting Officer:	F Sauzier, TravelSmart Officer		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** of the City hosting the third (3rd) race in the 2013 'Smoke Free Perth Criterium's' Cycling Series – Leederville Race, proposed to be held on Monday evening, 11 February 2013, as shown in appendix 9.2.7, subject to additional detailed information regarding the series being provided to the City by the organisers 'Trievents'; and
2. **AUTHORISES** the Chief Executive Officer to negotiate, with 'Trievents', the terms and conditions of approval for the event, including possibly waiving the event fees and making a contribution of an amount not exceeding \$7,500, for implementing Traffic Management, to be funded from the 2012/2013 'Parades & Festivals' budget allocation.

COUNCIL DECISION ITEM 9.2.7

Moved Cr Pintabona, **Seconded** Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval for the City hosting the third race of the proposed 2013 Smoke Free Perth Criterium's (Cycling Series) in Leederville on Monday evening, 11 February 2013.

BACKGROUND:

Criterium racing is considered the most exciting form of road racing in cycling competition. It involves high speeds around a tight and intimate circuit, ensuring that the spectators are very close to the action.

The City has hosted a leg of the Perth Criterium's Cycling Series in every year in which the series has been held, some fourteen (14) races over seventeen (17) years. Further, the Leederville race is the only race that has featured in all fourteen (14) series to date.

At its Ordinary Meeting held on 8 November 2011 the Council approved the 2012 event which was successfully held on 13 February 2012.

DETAILS:

2013 proposal

In August 2012 Trievents (the criterium event organisers) wrote to the City advising that they had commenced preliminary planning for the proposed 2013 series. Further, they advised that 'Healthways' had again agreed to sponsor the series and that it will be marketed under the banner 'Smoke Free Perth Criterium's'.

Trievents has tentatively selected the dates of Saturday 9, Sunday 10 and Monday 11 and Tuesday 12 February 2013 for the series, with the Leederville race being the third (3rd) to be held on the Monday evening under lights. It should be noted that Monday 11 February 2013 is not a public holiday nor in the school holiday period.

Further, unlike the 2011 event it is not St Valentine's Day, which resulted in significant changes being implemented to accommodate those businesses that generate significant trade specific to the day.

The tentative criterium series calendar is as follows:

- Saturday 9 February - City of Stirling, Main and Hutton Streets, Osborne Park. A twilight event starting at 5.00pm.
- Sunday 10 February – City of Victoria Park, Albany Highway City centre, start time 2.00pm.
- Monday 11 February – City of Vincent, Oxford Centre Precinct, start time 6.45pm, main race at 8.00pm under lights.
- Tuesday 12 February - City of Fremantle, city centre, start time 6.45pm, main race at 8.00pm under lights.

In respect of the impact upon local businesses mid February is traditionally a quiet period for the Oxford Centre Precinct and the event will attract a far larger crowd to Leederville than could normally be expected on a Monday night.

There will be implications for traffic, particularly in Vincent Street, and therefore the event will have to be scheduled in the evening, after the peak period has finished, with the support races commencing at 6.45pm.

The main race will commence at 8.15pm and take approximately one (1) hour. Given that it will be mid-summer, the late start will assist in lessening the impact upon the traffic while improving the comfort of the riders and spectators. However, it will necessitate the use of mobile light towers to light the course to the required level of illumination.

The proposed circuit, as shown in appendix 9.2.7, is the same as in previous years, with start and finish line located adjacent the Bankwest building on the corner of Vincent and Oxford Streets. It is also the location where the crowd is generally most concentrated.

The circuit requires the closure of Oxford Street, between Richmond Street and Leederville Parade, Vincent Street, between Leederville Parade and Loftus Street and Newcastle Street between Oxford and Loftus Streets.

CONSULTATION/ADVERTISING:

The applicant will be required to:

- (a) Make application for an Order for a Road Closure in accordance with the Road Traffic Act 1974;
- (b) Place a notice of road closure in "The West Australian" on Saturday 9 February 2013;
- (c) Advertise the event, including the road closures, in the local newspapers in the edition prior to the race, and
- (d) Letter drop all the affected residents and businesses within the circuit route and adjoining streets affected by the road closures at least two (2) weeks prior to the event, advising of the road closures and parking restrictions and providing the event coordinators and the City's after hours contact details.

LEGAL/POLICY:

The City is responsible to ensure that road closures for events on roads undertaken within its boundaries are in accordance with the relevant Australian Standards and Main Roads Western Australia Code of Practice for Events on Roads.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

Objective 3.1: Enhance and Promote Community Development and Wellbeing

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

SUSTAINABILITY IMPLICATIONS:

The Leederville event, by showcasing elite cycling, promotes the benefits of exercise, healthy choices and alternative transport.

RISK MANAGEMENT IMPLICATIONS:

Low: As long as due process is followed the Risk to the participants should be low.

FINANCIAL/BUDGET IMPLICATIONS:

While no specific funding has been allocated in the 2012/2013 budget for this event, if approved, as in previous years, the traffic management would be funded from the Parades and Festivals budget allocation.

In the past the City's primary sponsorship has been by way of waiving event fees and the provision of traffic management. Based upon recent public events, it would be expected that the supply and installation of all signage and traffic control devices for the various road closures, provision of sufficient staff (accredited traffic controllers) for a period of six (6) hours (including mobilisation and demobilisation, set up and dismantling), would cost in the order of \$7,500.

COMMENTS:

The series has been a great success in previous years and it is recommended that the Council approve the proposal and authorises the Chief Executive Officer to negotiate the appropriate Terms and Conditions on behalf of the City.

9.2.8 International Council for Local Environmental Initiative (ICLEI) Water Campaign™ Program – Progress Report No. 5

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	TES0578
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J Parker, Project Officer – Parks & Environment		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** that Milestone 2 has been completed and certified verification has been received from ICLEI Water Campaign™ Program; and
2. **ADOPTS** the proposed timetable for developing and adopting a Local Action Plan consistent with the goals adopted in Milestone 2 as outlined in the report.

COUNCIL DECISION ITEM 9.2.8

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of the report is to provide information on the current progress of the International Council for Local Environmental Initiative's (ICLEI) – Water Campaign™ Program Milestones and to provide a timetable for developing and adopting a Local Action Plan consistent with the goals adopted in Milestone 2.

BACKGROUND:

The ICLEI Water Campaign is an international freshwater management program which aims to build the capacity of local government to reduce water consumption and improve local water quality.

The campaign was introduced and piloted in Australia in 2002, with the assistance of five (5) ICLEI Member Councils - the Shire of Sutherland and City of Wollongong in NSW, and the Cities of Melbourne, Mitcham and Port Phillip in Victoria. It has since expanded to eighty eight (88) local governments participating in the program in South Australia, Victoria, New South Wales, Western Australia and Tasmania.

The Water Campaign™ is a sustainability initiative from the International Council for Local Environmental Initiatives (ICLEI) and the Australian Government and provides local governments with a framework and structured approach to actively assess their consumption of water and how their activities affect water quality within their area.

Council progression through this program framework is marked by Milestones which progress the water management initiative through a series of steps. These steps are referred to as Milestones.

At its Ordinary Meeting held on 12 June 2012, the Council received a report outlining the goals for Milestone 2 to be endorsed.

After considering the report, the Council made the following decision (in part):

“That the Council;

3. *REQUESTS a further report by August 2012, which provides a timetable for developing and adopting a Local Action Plan consistent with the goals adopted in Milestone 2.”*

DETAILS:

The Water Campaign provides local governments with a tested program model, covering a broad spectrum of water management issues. The program involves progressing through five (5) milestones, that guide participating local governments through a process of local research, policy making, action planning, implementation and evaluation as follows:

Milestone	Action	Comments	Status
1	Undertake a water consumption inventory and water quality checklist.	Completed	Milestone 1 awarded.
2	Establish a water consumption reduction goal and water quality improvement goal.	Completed	Milestone 2 awarded. (Refer attached Certificate
3	Develop and adopt a local action plan	In progress	To be completed by of June 2013.
4	Implement policies and actions to work towards integrated freshwater resource management and quantify the benefits.	Not Commenced	To be completed by June 2014.
5	Monitor and report on water consumption reductions, water quality improvements and water management initiatives.	Not Commenced	To be completed by June 2015.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In accordance with the City's Strategic Plan 2011-2016:

“Natural and Built Environment

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

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

- (d) *Ensure effective and efficient management and use of water and encourage water minimisation.*
- (e) *Protect and improve the quality and dependent ecosystems of surface and ground water resources within the City.”*

SUSTAINABILITY IMPLICATIONS:

Water is one of our most precious resources and better management of water quality and use can achieve improved future sustainability. The City, through the Water Campaign program, has the opportunity to take a leadership role in the local area and be part of a growing network of local governments, in Western Australia and nationally, who have identified integrated water resource management as a priority for financial, environmental and social reasons.

FINANCIAL/BUDGET IMPLICATIONS:

As a member of ICLEI, the Water Campaign participation fee was approximately \$1,800. This is a once off fee.

COMMENTS:

The ICLEI Water Campaign Milestone 1 and Milestone 2 have been completed, with Milestone 3 now in progress, and to be completed within the current financial year 2012/2013.

Once Milestone 3 has been completed the City will receive its 'Waterwise' Certification and Milestone 4 and 5 will be progressed consisting of monitoring and reporting.

9.2.10 Rights of Way Upgrade and Acquisition Program - Acquisition of Certain Rights of Way

Ward:	South	Date:	28 September 2012
Precinct:	Smith's Lake (6)	File Ref:	TES0030
Attachments:	001 – Plan 1657 Right of Way		
Tabled Items:			
Reporting Officer:	A Munyard; Senior Technical Officer, Land and Development		
Responsible Officer:	R Lotznicker; Director Technical Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES** the acquisition of the private Rights of Way created on the attached Plan No 1657 and advises State Land Services of the its decision.

COUNCIL DECISION ITEM 9.2.10

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to request Council approval for the acquisition, under s.52 of the Land Administration Act 1997 (LAA), for the acquisition of all of the Right's of Way (ROWs) which were created on the same Survey Plan (Plan 1657).

BACKGROUND:

In accordance with the City's program to acquire and upgrade private ROWs, the City requested State Land Services (SLS) approve the acquisition of a ROW bounded by Alma Road, Charles, Claverton and Camelia Streets, North Perth.

State Land Services (SLS) has recommended that the City acquire all of the ROWs which were created on the same Survey Plan (Plan 1657).

At the time of subdivision of the land in the older suburbs within the Perth area, large parcels of land were divided into many lots, commonly serviced by a rear ROW. The lots were sold off, and the ROW was left as a remainder on the original title, still owned by the subdivider.

The ROWs were encumbered by rights of access easements in favour of the abutting lots.

These implied access easements exist under s167A of the Transfer of Land Act 1893 and therefore the ROWs cannot be closed without the consent of all with access rights, and cannot be developed in any other way.

The ongoing management and maintenance of these ROWs poses problems, as many of them are now in deceased estates. Having little intrinsic financial value and in fact posing a maintenance liability to the owners, there has been little interest or action by beneficiaries to have the ownership transferred to them.

When unable to trace a living owner, these ROWs may be acquired in accordance with s52 of the LAA.

DETAILS:

Section 52 of the LAA states:

“52. Local government may request acquisition as Crown land of certain land no longer required

(1) Subject to this section, a local government may request the Minister to acquire as Crown land —

(a) any alienated land designated for a public purpose on a plan of survey or sketch plan lodged with the Registrar;

(b) any private road; or

(c) any alienated land in a townsite which the Minister proposes to abolish under section 26,

within the district of the local government (in this section called the subject land).”

The City was requested by adjacent residents to acquire a ROW originating in Camelia Street, North Perth. SLS were consulted on how best to go about acquiring the ROW, and have advised that the City should go about the process under s52.

The ROW in question is one of several created on Plan 1657, all but one held in the deceased estate of Abraham Jacob Herman and Isidore Hermann. A portion of one of the ROWs has been amalgamated into the dedicated road “Sekem Street”.

SLS have also advised that the rather than divide one ROW from the original title, all the ROWs created on the Plan and remaining in the one title should be acquired under s52.

Long Term ROW Upgrade and Acquisition Program:

Seven (7) of the ROW legs are currently unsealed. Six (6) are listed in the program for 2013/2014 and the other is listed for inclusion in 2014/2015.

CONSULTATION/ADVERTISING:

The acquisitions will be in accordance with the Council's Acquisition and Upgrade Program, first adopted at the time of inception of the Town of Vincent, revised and adopted by the Council again in 2009.

LEGAL/POLICY:

The acquisition will be carried out under S52 of the LAA, under advice from State Land Services.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* 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:

Providing care and control of the ROWs to the City.

FINANCIAL/BUDGET IMPLICATIONS:

The 2012/2013 includes an amount of \$15,000 for the acquisition of ROWs, however State Land Services have prepared the documents at their cost, in anticipation of the Council's approval. There are no significant costs to the City, in acquiring these ROWs.

COMMENTS:

Acquisition of these ROWs is in accordance with the City's program and will assist the City by placing them under it's care, control and management. It is recommended that the Council approve the acquisition of the ROW in accordance with s52 of the LAA.

9.3.1 Beatty Park Redevelopment, 220 Vincent Street, North Perth - Progress Report No. 12

Ward:	South	Date:	28 September 2012
Precinct:	Smiths Lake	File Ref:	CMS0003
Attachments:	001 – Progress Photos		
Tabled Items:	Nil		
Reporting Officers:	D Morrissy; Manager Beatty Park Leisure Centre; and M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** Progress Report No. 12 as at 9 October 2012, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth; and
2. **NOTES** that a function has been organised on Thursday 22 November 2012, to commemorate the 50th Anniversary of the opening of the Centre, as outlined in the report.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of the report is to update the Council on the progress of the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street North Perth.

BACKGROUND:

Progress Reports

Progress reports have been submitted to the Council on 7 December 2010, 22 November 2011, 20 December 2011, 14 February 2012, 13 March 2012, 10 April 2012, 8 May 2012, 12 June 2012, 10 July 2012, 14 August 2012 and 11 September 2012.

At the Ordinary Meeting of Council held on 23 August 2011, the Council considered the Beatty Park Leisure Centre Redevelopment Project Stage 1 and resolved (in part) the following:

“That the Council;

2. **APPROVES:**

- 2.1 (a) *the Beatty Park Leisure Centre Redevelopment Stage 1 at an estimated Total Project Cost of \$17,065,000 to be funded as follows;*

<i>Federal Government</i>	<i>Nil</i>
<i>State Government - CSRFF</i>	<i>\$2,500,000</i>
<i>State Government – nib Stadium payment</i>	<i>\$3,000,000</i>
<i>Beatty Park Leisure Centre Reserve Fund</i>	<i>\$3,500,000</i>
<i>Loan Funds</i>	<i>\$8,065,000</i>
<i>Total:</i>	<i>\$17,065,000</i>

DETAILS:

1. CONTRACT DOCUMENTATION

1.1 **Tender**

Tender No. 429/11 Construction
Advertised: 14 May 2011
Closed: 26 July 2011
Awarded: Perkins Builders

Tender No. 430/11 Geothermal
Advertised: 14 May 2011
Closed: 15 July 2011
Awarded: Drilling Contractors of Australia

Tender No. 436/11 Fire detection system and water tanks
Advertised: 17 September 2011
Closed: 12 October 2011
Awarded: Perkins Builders

1.2 **Contracts**

Construction contract signed on 7 October 2011.

Fire Detection and Water Tanks to be treated as a variation to the Head Agreement.

Geothermal contract signed on 6 September 2011.

1.3 **Contract Variations/Additional Scope of Works**

Construction

- Removal of existing concrete pool concourse;
- Removal of Water Tanks and Water Tank Screens;
- Roof Safety Fall Arrest System;
- Door Hardware;
- Additional Anchor Points to Indoor Pool, Dive Pool and Beginners Pool;
- Removal of Dive Pool windows;
- Kitchen Equipment;
- Temporary Entrance Work;
- Removal of indoor pool marble sheen layer and rendering;
- Signage;
- Removal of building rubble, discovered after excavation;
- Remove and dispose of 50mm screed to existing slab;
- New water supply to slides;
- Replacement of water filter return line;
- Existing pool dive board modifications;
- Rubber floor tiles in gym;
- Removal of trees; (as recommended by the Builder)
- Additional 150mm Stormwater drain;
- Remove and dispose of existing footing;
- Mechanical dilapidation works in plant room;
- Removal of existing render in female change rooms; and
- Replace 3 way valve to mechanical plant.

Geothermal

- Additional 100m drilling to obtain the required temperature;
- Additional time required to develop production bore;
- Variations to design of injection bore, based on production bore geophysical data;
- Loss of drilling mud due to porous nature of bore;
- Bore testing schedule revised to save costs (both together);
- Variations to pumping controls to cater for slower flow rates required;
- Additional meters required by Department of Water to meet new Licence conditions; and
- Removal of valves and flanges replaced by meters.

1.4 **Cost Variations**

Construction

Provisional Sums:

Description	Provisional Sum	Amount Agreed	Variation
Temporary Entrance Works	20,000	(\$27,154)	(\$7,154)
Safemaster roof safety system	\$7,000	(\$6,055)	\$945
Door hardware	\$85,000	(\$59,170)	\$25,830
Western Power charges	\$5,000	(\$1,363)	\$3,637
Kitchen equipment	\$200,000	(\$143,887)	\$56,113
Internal bollards and retractable belts	\$5,000	(\$3,680)	\$1,320
Hoist to family accessible change 4	\$6,000	(\$4,037)	\$1,963
Signage – additional Crèche	\$8,000	(\$4,390)	\$3,609
Rubber floor tiles to gym	\$10,000	(\$11,349)	(\$1,349)
Total	\$346,000	(\$261,085)	\$84,915

Client Requests:

Description	Amount
Anchor points to indoor pool	\$5,016
Additional Pool features/furniture	\$19,789
Removal of marble sheen to indoor pool	\$46,200
Removal of dive pool windows and make good concrete structure	\$9,735
Anchor points to beginners pool	\$3,344
Tree removal (as recommended by Builder)	\$8,250
Total	\$92,334

Latent Conditions:

Description	Amount
Removal of original pool concourse	\$29,920
Replacement of indoor pool valves	\$1,595
Removal of building rubble, discovered after excavation	\$2,850
Remove and dispose of 50mm screed to existing slab	\$2,904
Relocation of 300mm stormwater drainage pipe	\$3,433
New water supply to slides	\$7,548
Replacement of water filter return line	\$10,798
Existing pool dive board modifications	\$2,844
Additional 150mm Stormwater drain	\$1,898
Remove and dispose of existing footing	\$500
Mechanical dilapidation works in plant room	\$24,266
Removal of existing render in female change rooms	\$484
Replace 3 way valve to mechanical plant	\$2,739
Total	\$91,779

Summary of Variations

Total Variation Savings	(\$84,915)
Total Variation Additions	\$184,113
Total Variation	\$99,198

Geothermal

Provisional Sum	Description	Variation Amount	Adjustments
Nil	Additional 100m drilling	\$61,000	-\$61,000
Nil	Additional time for production bore development	\$46,500	-\$46,500
Nil	Loss of cement during grouting	\$968	-\$968
Nil	Test pumping of production bore delayed- rescheduled to coincide with injection bore pumping	-\$15,500	\$15,500
Nil	Headworks removed from scope	-\$18,800	\$18,800
Nil.	Variations to design of injection bore, based on production bore geophysical data.	\$3,672	-\$3,672
Nil.	Dorot valve and flanges removed from scope	-\$2,405	\$2,405
Nil.	Bore head meters as required by Department of Water under new Licence conditions	\$10,150	-\$10,150
Nil.	Cooling shroud	\$2,120	-\$2,120
Nil.	Sub Mains	\$8,995	-\$8,995
Total Variation Savings			\$36,705
Total Variation Additions			\$133,405
Total Additional cost			\$96,700

1.5 **Claims**

Not applicable at this time.

1.6 **Insurance**

The City of Vincent insurances have been adjusted to cater for the coverage of existing and constructed buildings, during the construction period.

2. GEOTHERMAL WORKS

2.1 **Groundworks**

Completed. Site has been returned to handover condition.

Beatty Park Reserve turf reinstatement has been completed.

2.2 **Bores**

Drilling complete – Rig has been removed from site.

Hydro engineering works in progress.

2.3 **Commissioning**

No changes to previous report.

2.4 **Pipe works**

Earthworks for the geothermal lines to the plant room have commenced.

3. BUILDING WORKS/EXISTING BUILDING

3.1 **Temporary works**

No changes to previous report.

3.2 **Car parking, Landscaping and interim external works**

No further progress at this time.

3.3 **Earthworks**

Not applicable at this time.

3.4 **Structural and Civil Engineering**

Completed.

3.5 **Hydraulic services**

Minor issue with the drainage of new change rooms is being addressed by the architect.

3.6 **Electrical Services**

Completed.

3.7 **Mechanical services**

Commissioned.

3.8 **Environmental services**

Sensors for lighting operation installed and operational.

3.9 **Interior finishing**

Minor defects identified by Architect are still being rectified by builder.

4. BUILDING WORKS-NEW

4.1 **Temporary works**

Not applicable at this time.

4.2 **Earthworks/Demolition**

Completed.

4.3 **Structural and Civil Engineering**

External steel work to gym completed.

Internal structure in progress for Café lounge area.

4.4 **Hydraulic services**

No change from previous report.

4.5 **Electrical Services**

No change from previous report.

4.6 **Mechanical Services**

No change from previous report.

4.7 **Environmental Services**

No changes to previous report.

4.8 **Building External and Internal Colour Finishes**

A section of the Café lounge polished concrete floor was contaminated with wood and is to be replaced with tiles in a similar colour. All costs will be paid by the concrete supplier.

5. POOLS AND PLANT ROOM

The builder has advised that all outdoor pools will be completed and handed over to the City by the first week of November 2012.

5.1 **Outdoor Main Pool**

Tiling of walls completed and tiling of the floor commenced – Refer to photo's.

Raised grass area block work completed.

5.2 **Dive Pool**

Tiling of walls completed.

5.3 **New Learn to swim pool**

Tiling of walls completed.

5.4 **Indoor pool/Leisure area**

Defects list still being worked through with builder by the Architect.

5.5 **Plant Room**

Geothermal works commenced and almost completed.

5.6 **Spa, Steam Room and Sauna**

Waiting on approval from the Health Department before commencement of work. Completion date set for end of October 2012 at this stage.

6. INDICATIVE TIMELINE

6.1 **Progress**

Pool work is on schedule.

Geothermal work is on schedule.

6.2 **Days Claimed**

Seven (7) extension of time requests have been received from the Builder, of which five (5) requests have been approved.

7. COMMUNICATION PLAN

Various communication methods have been utilised to advise patrons, stakeholders and employees of the redevelopment, these are listed below:

- Frequently asked questions (FAQ's) posted on the City's website and displayed within the facility;
- A number of mailouts to members, clubs and stakeholders (Newsletter to Members and Swim School patrons during May and July 2012);
- City of Vincent quarterly newsletter;
- A letter drop to surrounding residents;
- Fencing signage around geothermal compound;
- Internal signage;
- Website updates, including a photo diary, plans and a detailed project overview; and
- Twitter account @BeattyPark in operation to provide regular updates on the redevelopment and other related information. (113 followers as at 28 September 2012).

8. MEMBERSHIP

Extensions were provided to all current members as at 1 October 2011.

A number of members have opted to suspend their membership throughout the redevelopment period. The number of suspensions applied for since the project commenced is 162.

Refunds have been provided to those members who requested this option. As at the 29 May 2012 a total of \$25,241 has been refunded.

As at 30 August 2012 there have been no further refunds issued associated with the redevelopment.

A revised membership fee structure was implemented from the 1 December 2011 due to the closure of the indoor pool, spa, sauna and steam room. This structure was well received but reverted back to the normal fee structure once the new change rooms opened on the indoor pool on the 20 August 2012.

The current number of members is starting to increase and as at 28 September 2012 there are 1,396 members.

9. EMPLOYEE MATTERS

The permanent part time staff that had their hours reduced during the redevelopment have started to recommence to meet the increased workload.

A new pay structure has been implemented to provide fairness and equality across the areas of the Centre and while some areas have had their rates reduced others have been increased. An overall saving of approx 1.5% was achieved compared to budget.

Two (2) lifeguards, one (1) group fitness instructor and one (1) gym instructor have been employed during this reporting period on the new rates.

10. HISTORY AND ANNIVERSARY BOOK

A complete photo history is being compiled throughout the course of the redevelopment. A photo diary has been set up on the City's website which is being regularly updated.

The Library and Local History Centre is currently working on a book to celebrate the history of the facility. This will be prepared to be ready in time for the 50th anniversary and the completion of the redevelopment.

The book has now been finalised and it is proposed to be launched at a function on the 22 November 2012.

In addition to the book, a Heritage room is being planned for Beatty Park. This will be a permanent display of memorabilia for patrons of the centre to celebrate the diversity and history of the facility.

11. OTHER COUNCIL APPROVED ITEMS

At the Ordinary Meeting of Council held 10 July 2012, the Council approved the following:

"That the Council;

1. *RECEIVES Progress Report No. 9 as at 10 July 2012, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth; and*

2. *AUTHORISES the Chief Executive Officer to:*
 - 2.1 *Review the branding of the Beatty Park Leisure Centre including engaging suitably qualified persons/organisation, if required;*
 - 2.2 *Investigate suitable uses for the vacated areas in the Centre as a result of the redevelopment and engage suitable qualified professionals to provide information of rental valuations and leasing options;*
 - 2.3 *Organise the appropriate events to celebrate the opening of the redeveloped Centre and the fiftieth (50th) Anniversary/Birthday of the Centre;*
 - 2.4 *Prepare a Design Brief for the Percent for Art component of the redevelopment project, in accordance with the City's Policy 3.10.7; and*
3. *NOTES that a further report will be submitted to the Council no later than October 2012."*

Listed below is the progress made to date on these matters.

12. MARKET BRANDING

The advice received from marketing companies is to hold off on the brand change until completion of project. This will allow for maximum impact from any new design which may get overlooked when the completed centre opens. Staff will continue to work on the design with a proposed implementation date later in 2013.

13. LEASING OF SPACE

Meetings have been held to discern the available space and valuations. Plans are being prepared of the areas and a decision will be made on whether to outsource the leasing depending on the value and complexity of any lease arrangement required.

Quotes for professional assistance are being obtained.

14. CELEBRATION OF OPENING

A function is to be held on the 22 November 2012 for the opening of the outdoor pool and the Book launch for the 50 year celebratory book.

The Mayor has agreed to a function to be held on 22 November 2012 – which is the 50th Anniversary of the opening of the Centre. An open day for the public will be held on Sunday 25 November 2012.

An in-house Working Group has commenced arrangements for the event. The City will also partner with the Town of Cambridge to celebrate the 50th Anniversary of the Commonwealth Games.

An event will be held in February/March 2013 to celebrate the official opening of the whole centre.

15. PERCENT FOR ART

The Manager Beatty Park Leisure Centre has contacted the City's Arts Officer to prepare a brief for the work to be undertaken and to ascertain the budget available. No further progress on this item.

CONSULTATION/ADVERTISING:

The City's Communications Officer created a "Corporate Projects" site on the City's web page and background information together with weekly photographs are included on this site.

A list of frequently asked questions and project plans are also located on the website. The site has been updated on a regular basis.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Medium-High: The redevelopment project is significant in terms of magnitude, complexity and financial implications. It will require close management to ensure that costs are strictly controlled, particularly as it involves a Heritage listed building which is 49.5 years old. Notwithstanding the risk, the City has an experienced project team and a good track record for successfully completing significant infrastructure projects (e.g. Loftus Centre Redevelopment, rectangular stadium, DSR Office Building, Leederville Oval redevelopment).

The risk of serious plant failure will continue until the plant is replaced and/or upgraded.

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.*

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

(e) *Implement the Redevelopment of Beatty Park Leisure Centre."*

SUSTAINABILITY IMPLICATIONS:

The redevelopment is committed to a number of sustainability initiatives.

FINANCIAL/BUDGET IMPLICATIONS:

At the Ordinary Meeting of Council held on 23 August 2011. The Council approved this project at a total cost of \$17,065,000.

The construction tender amounts to \$11,987,000 exclusive of GST and the Geothermal Energy System tender amounts to \$2,930,541 exclusive GST.

Building Construction Tender Progress Claim Payments – Perkins Builders

Eleven (11) progress claims have been received to date, as follows:

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	14/11/2011	\$168,597.91	\$168,597.91	30/11/2011
No. 2	09/12/2011	\$330,358.48	\$330,358.48	11/01/2012
No. 3	09/01/2012	\$426,642.09	\$426,642.09	08/02/2012
No. 4	09/02/2012	\$262,230.86	\$262,230.86	07/03/2012
No. 5	08/03/2012	\$999,561.79	\$999,361.79	04/04/2012
No. 6	10/04/2012	\$641,879.57	\$641,879.57	02/05/2012
No. 7	15/05/2012	\$1,094,498.76	\$1,094,498.76	18/06/2012
No. 8	11/06/2012	\$1,207,966.69	\$1,207,966.69	09/07/2012
No. 9	13/07/2012	\$991,244.57	\$991,244.57	08/08/2012
No. 10	09/08/2012	\$803,418.12	\$803,418.12	14/09/2012
No. 11	12/09/2012	\$913,043.61		

Total Paid \$6,926,198.84

Geothermal Tender Progress Claim Payments – Drilling Contractors Australia

Six (6) progress claims have been received to date, as follows:

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	18/11/2011	\$482,899.18	\$482,899.18	20/12/2011
No. 2	16/12/2011	\$638,710.00	\$638,710.00	25/01/2012
No. 3	31/12/2011	\$501,120.57	\$501,120.57	08/02/2012
No. 4	12/04/2012	\$214,355.86	\$214,355.86	02/05/2012
No. 5	21/05/2012	\$604,149.38	\$604,149.38	18/06/2012
No. 6	17/07/2012	\$859,899.97		
No. 7				
No. 8				
No. 9				
No. 10				

Total Paid \$2,441,233.99

Fire Detection and Water Tanks Tender Progress Claim Payments

No progress claims have been received to date as works have only just commenced.

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1				
No. 2				
No. 3				
No. 4				
No. 5				

Total Paid Nil.

Funding

On 15 March 2012, the City received \$5 million from the State Government, being the upfront payment of the nib Stadium Lease. As per the Council decision, \$3 million has been placed in the Beatty Park Leisure Centre Reserve Fund and \$2 million placed in the Hyde Park Lakes Restoration Reserve Fund.

Loan

The Western Australian Treasury Corporation has approved a loan of \$8,065,000 at 5.49% per annum for 20 years.

Loan funds were received on 3 January 2012, repayments to commence on 3 September 2012.

CSRFF Funding

The City of Vincent will claim funds from this Department of Sport and Recreation grant for the Pool, Geothermal and Change room works.

Progress Payment Number	Date Requested	Amount Requested (excl GST)	Amount Received (excl GST)	Date Received
No. 1	03/01/2012	\$217,165.69	\$217,165.00	06/01/2012
No. 2	31/01/2012	\$191,614.00	\$191,614.00	06/02/2012
No. 3	17/04/2012	\$839,971.00	\$839,971.00	24/05/2012
No. 4	19/06/2012	\$715,269.20	\$715,269.00	30/06/2012
No. 5				

Total Received \$1,964,019.00

Additional Funds

The Administration is following up grant enquiries from the following organisations:

- Lotterywest;
 - Liaising with other City of Vincent departments on projects that will be beneficial to the community.
- Healthways;
 - Sponsorship of up to \$50,000 for promoting healthy lifestyles is available per Local Government per year and we will be liaising with other City of Vincent Departments to see what areas or programs would most benefit by applying for this funding.
- Community Sport and Recreation Facility Fund;
 - Small grants are available for local clubs and we are meeting with resident Beatty Park water polo and swimming clubs to coordinate any request to the Department of Sport and Recreation for this funding. Interest has been shown by both Water Polo clubs and the Perth City Swim club in this.

COMMENTS:

With the opening of the Indoor Pool, the Beatty Park Redevelopment Project reached a significant milestone. The refurbished change rooms are now open and the additional family/accessible and unisex change cubicles have been extremely well received.

With the end of the school term approaching the Swim School is receiving numerous enquiries from people finishing up lessons at other facilities. On the 26th September over 60 telephone calls were received and 15 emails. Numbers are continuing to rise steadily, with 1,294 participants as at 27 September 2012.

The Membership has increased a further nine percent (9%) and class numbers in group fitness and RPM classes are increasing steadily.

The updated program schedule provided by the builder shows the opening of the outdoor pools has been amended to late November 2012 and the new extension in January 2013.

Positive feedback has been received from facility users in regards to how the project is progressing.

Monthly progress reports will continue to be provided to the Council throughout the project.

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	28 September 2012
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **NOTES** the use of the Council's Common Seal on the documents listed in the report, for the month of September 2012.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
03/09/2012	Easement	3	City of Vincent and Boldform Pty Ltd of C/o Venture Accounts, "G Building A", 355 Scarborough Beach Road, Osborne Park re: No. 17-23 (Lot: 33 D/P: 54789) Harwood Place, West Perth - Four-Storey Development comprising twelve (12) two bedroom and four (4) single bedroom multiple dwellings and associated car parking - <i>To satisfy Conditional Planning Approval serial 5.2008.42.1, issued on 10 June 2008</i>
18/09/2012	Amendment Agreement	1	City of Vincent and Cities of Joondalup, Perth, Stirling, Wanneroo and Towns of Cambridge and Victoria Park relating to Tamala Park Regional Council Establishment Agreement - Amendment Agreement - <i>Approved by Council at the Ordinary Meeting of Council held on 24 July 2012</i>

Date	Document	No of copies	Details
24/09/2012	Agreement	4	City of Vincent and Selden Pty Ltd (trading as Hungry Jack's) of 355 Scarborough Beach Road, Osborne Park 6017 for the Installation of the "Twig's" Public Seating on Portion of 581-583, 581A (Lot No. 57) Beaufort Street, Mount Lawley - <i>Approved by Council at the Ordinary Meeting of Council held on 28 February 2012 (Item 9.2.1)</i>
24/09/2012	Section 70A Notification	2	City of Vincent and Duomark Pty Ltd, c/o Mallal & Co., 1 Coronilla Way, Forrestfield WA 6058 re: Nos. 378-390 (Lots 332 and 333 D/P: 48702) Beaufort Street and Part Dual Frontage to McCarthy Street, Perth - Proposed Three (3) and Six (6) Storey Mixed Use Development comprising Fifty-Nine (59) Multiple Dwellings and Shop - <i>To satisfy Clause (ix) of conditional Planning Approval Serial 5.2009.120.1, dated 9 September 2009</i>
25/09/2012	Restrictive Covenant	2	City of Vincent and Yokine Investments Pty Ltd, of Unit 3, 135 Main Street, Osborne Park, WA 6017 re: Nos. 357 Walcott Street, Coolbinia - Survey Strata Subdivision - <i>To satisfy Condition (8) of Conditional Survey Strata Approval Serial 158-011, approved on 5 October 2011 by the State Administrative Tribunal</i>

9.5.3 City of Vincent Dogs Local Law 2007 – Readvertising of Amendment to Allow Companion Dogs in Outdoor Eating Areas

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	LEG0009
Attachments:	Nil.		
Tabled Items:	Nil.		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officers:	John Giorgi, Chief Executive Officer – Local Law		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** the information received from the Joint Standing Committee on Delegated Legislation advising of the need to readvertise the amendment to the City of Vincent Dogs Local Law 2007, to allow for companion dogs to be in approved Outdoor Eating Areas, in specific circumstances; and
2. **AUTHORISES** the Chief Executive officer to readvertise the amendment to the City of Vincent Dogs Local Law 2007.

COUNCIL DECISION ITEM 9.5.3

Moved Cr Pintabona, Seconded Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of information received from the Joint Standing Committee on Delegated Legislation and seek the Council's approval to readvertise the amendment to the City's Dogs Local Law 2007, to allow companion dogs to be in an approved Outdoor Eating Area.

BACKGROUND:

At the Council meeting held on 26 June 2012, the council adopted an amendment to allow companion dogs to be in an approved Outdoor Eating area.

The City's administration advertised the proposed amendment on 6 July 2012 and also forwarded a copy to the Minister for Local Government on 2 July 2012. Due to an administrative error the procedure was not strictly in accordance with the requirements of the Local Government Act Section 3.12 (3) (a). The letter to the Minister is required to be sent after the Public Advertisement (not prior).

The City has been requested to readvertise the amendment so that there is no ambiguity or challenge to the proposed amendment, as the sequence prescribed in S.3.12(a) of the Local Government Act does not allow for any variation to the prescribed procedure.

CONSULTATION/ADVERTISING:

The process to amend a local law requires a period of not less than six (6) weeks, public consultation. This will provide an opportunity to gauge whether there is general support for the proposal. Following the consultation process, a further report will be provided to the Council, including any comments received and the Council can then make an informed decision.

LEGAL/POLICY:

- Food Act 2008;
- Australian and New Zealand Food Standard Code, Standard 3.2.2;
- Dog Act 1976; and
- City of Vincent Dogs Local Law 2007 (as amended).

Section 22 of the *Food Act 2008* (the Act) requires food businesses in Western Australia to comply with any provision imposed on that business by the Food Standards Code, Standard 3.2.2 (the Code).

Section 22(1) of the Act states:

"22. Compliance with Food Standards Code

- (1) *A person must comply with any requirement imposed on the person by a provision of the Food Standards Code in relation to the conduct of a food business or to food intended for sale or food for sale."*

Clause 24 of the Code requires that a food business does not permit live animals in areas in which food is handled with the exception of "assistance animals" in dining and drinking areas.

Clause 24 of the Code states:

"24. Animals and pests

- (1) *A food business must –*
 - (a) *subject to paragraph (b), not permit live animals in areas in which food is handled, other than seafood or other fish or shellfish;*
 - (b) *permit an assistance animal only in dining and drinking areas and other areas used by customers;*
 - (c) *take all practicable measures to prevent pests entering the food premises; and*
 - (d) *take all practicable measures to eradicate and prevent the harbourage of pests on the food premises and those parts of vehicles that are used to transport food.*
- (2) *In subclause (1), 'assistance animal' means an animal referred to in section 9 of the Disability Discrimination Act 1992 of the Commonwealth."*

The Disability Discrimination Act 1992 Section 9 prescribes an 'assistance animal' as follows:

- (1) *For the purposes of this Act, an assistance animal is a dog or other animal:*
 - (a) *accredited under a law of State or Territory that provides for the accreditation of animals trained to assist a persons with a disability to alleviate the effect of the disability; or*
 - (b) *accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or*
 - (c) *trained:*
 - (i) *to assist a person with a disability to alleviate the effect of the disability; and*
 - (ii) *to meet standards of hygiene and behaviour that are appropriate for an animal in a public place."*

Note: For exemptions from Part 2 for discrimination in relation to assistance animals, see section 54A

There is no legal impediment to this recommendation being approved.

RISK MANAGEMENT IMPLICATIONS:

There is a requirement for a food premises to put appropriate measures in place to manage food safety and suitability risks that may result from the presence of dogs in the premises.

STRATEGIC IMPLICATIONS:

The above recommendation aligns well with the City of Vincent's Strategic Plan 2011 – 2016, at Objective 2.1.1(b) – *“Capitalise on the City's strategic location, its centres and commercial areas and ensure appropriately located and adaptable centres of economic activity within the City that provide a complimentary range of business opportunities and services for the community”*.

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications, associated with this report.

FINANCIAL/BUDGET IMPLICATIONS:

The advertisements will cost approximately \$200.

COMMENTS:

It is disappointing that the minor error in the amendment procedure was not accepted by the Joint Standing Committee, as this has no bearing on the final outcome.

Notwithstanding this, the City accepts that the procedure was not strictly followed, due to an oversight and will need to readvertise the amendment.

9.5.6 Information Bulletin

Ward:	-	Date:	28 September 2012
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 9 October 2012, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.6

Moved Cr Pintabona, **Seconded** Cr Wilcox

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

DETAILS:

The items included in the Information Bulletin dated 9 October 2012 are as follows:

ITEM	DESCRIPTION	PAGE
IB01	Letter from Director General Disability Services Commission Acknowledging the Lodgement of the City of Vincent’s Final Disability Access and Inclusion Plan (DAIP)	1
IB02	Thank You Email from Resident Regarding ‘Literacy in the Park – GPS Treasure Hunt’ Event for Children	2
IB03	Thank You Letter from MT. Hawthorn Playgroup Inc regarding the recent renovations at the Community Centre.	3
IB04	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 20 September 2012	4
IB05	Register of Petitions – Progress Report – October 2012	8
IB06	Register of Notices of Motion – Progress Report – October 2012	9
IB07	Register of Reports to be Actioned – Progress Report – October 2012	11
IB08	Register of Legal Action (Confidential – Council Members Only) – Monthly Report (October 2012)	19
IB09	Register of Orders and Notices Issued Under the Building Act 2011 and Health Act 1911 (Confidential – Council Members Only) – Quarterly Report (July – October 2012)	20
IB10	Register of State Administrative Tribunal Appeals – Progress Report – October 2012	21
IB11	Register of Applications Referred to the Design Advisory Committee – September 2012	26
IB12	Register of Applications Referred to the MetroWest Development Assessment Panel – September 2012	28
IB13	Forum Notes – 18 September 2012	29
IB14	Notice of Forum – 16 October 2012	33

9.1.3 FURTHER REPORT: Proposal for New Areas of Paid Parking – Consideration of Submissions and Approval of Amended Days, Times and Purchase of Additional Ticket Machines

Ward:	South	Date:	28 September 2012
Precinct:	Beaufort (13)	File Ref:	PKG0168
Attachments:	001 – Amended Ticket Machine Zones 002 – New Paid Parking Map		
Tabled Items:	Nil		
Reporting Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officers:	C Eldridge, Director Planning Services – Consultation; and R Boardman, Director Community Services – Parking Enforcement and Implementation		

FURTHER OFFICER RECOMMENDATION:

That the Council **APPROVES**;

1. BY AN ABSOLUTE MAJORITY:

- 1.1. to amend pursuant to Clause 6.1 of the City of Vincent Parking and Parking Facilities Local Law 2007 – the Ticket Machine Zones (location, times and days), as shown in Appendix 9.1.3A;
- 1.2. to amend the operating times for the north side of Newcastle Street, between Lord Street and Fitzgerald Street, Perth, to be the same as the restrictions on the south side, where the City of Perth have introduced two-hour time restricted paid parking restrictions from 8am to 6pm Monday to Saturday as shown in Appendix 9.1.3A, with two-hour time restricted free parking restrictions from 12 noon to 6pm Sunday; and
- 1.3. that a fee of \$2.10 per hour be charged for new areas of paid parking where time restrictions apply and \$1.10 per hour for the all day parking areas; and

2. The installation of Ticket Machines in the locations shown in Appendix 9.1.3B.

Mayor Hon. Alannah MacTiernan stated that she had declared a Proximity interest in the item. As the Council had approved of her request to participate in debate and vote on the item, she would therefore vacate the Chair and assume her position in Cr McGrath's seat.

Deputy Mayor Warren McGrath assumed the Chair at 6.21pm.

Moved Cr Maier, Seconded Mayor Hon. Alannah MacTiernan

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Maier, Seconded Cr Buckels

“That Clause 1.1 be amended to read as follows:

1. BY AN ABSOLUTE MAJORITY:

- 1.1. to amend pursuant to Clause 6.1 of the City of Vincent Parking and Parking Facilities Local Law 2007 – the Ticket Machine Zones (location, times and days), as shown in Appendix 9.1.3A subject to the inclusion of Lindsay Street for proposed ticketed parking”; and**

Debate ensued.

AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

Debate ensued.

AMENDMENT 2

Moved Cr Maier, Seconded Cr Buckels

“That a new clause 3 be added as follows:

- 3. REQUESTS that the possible use of surplus ticket machines charging no fee or a small fee, to improve enforcement efficiency in the streets marked orange on Plan 2819-CP-02A, be included in the recommendations of the report requested by the Council at its Ordinary Meeting held on 10 July 2012, concerning the West Perth area and Claisebrook Road North area within the Perth Parking Management Area.”**

Debate ensued.

AMENDMENT 2 PUT AND LOST (2-5)

For: Cr Buckels, Cr Maier

Against: Mayor Hon. Alannah MacTiernan, Cr Carey, Cr McGrath, Cr Pintabona, Cr Wilcox

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

Debate ensued.

AMENDMENT 3

Moved Mayor Hon. Alannah MacTiernan, Seconded Cr Pintabona

“That clause 1.1 be amended as follows:

- 1.1. to amend pursuant to Clause 6.1 of the City of Vincent Parking and Parking Facilities Local Law 2007 – the Ticket Machine Zones (location, times and days), as shown in Appendix 9.1.3A, subject to Parry Street between Beaufort Street and Lord Street to be 2P and 1/4P only.”**

Debate ensued.

AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (6-1)

For: Mayor Hon. Alannah MacTiernan, Cr Buckels, Cr Maier, Cr McGrath, Cr Pintabona, Cr Wilcox

Against: Cr Carey

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

Mayor Hon. Alannah MacTiernan assumed the Chair at 6.42pm.

COUNCIL DECISION ITEM 9.1.3

That the Council APPROVES;

1. BY AN ABSOLUTE MAJORITY:

- 1.1. to amend pursuant to Clause 6.1 of the City of Vincent Parking and Parking Facilities Local Law 2007 – the Ticket Machine Zones (location, times and days), as shown in Appendix 9.1.3A, subject to the inclusion of Lindsay Street for proposed ticketed parking, and Parry Street between Beaufort Street and Lord Street to be 2P and 1/4P only; and**
- 1.2 to amend the operating times for the north side of Newcastle Street, between Lord Street and Fitzgerald Street, Perth, to be the same as the restrictions on the south side, where the City of Perth have introduced two-hour time restricted paid parking restrictions from 8am to 6pm Monday to Saturday as shown in Appendix 9.1.3A, with two-hour time restricted free parking restrictions from 12 noon to 6pm Sunday; and**
- 1.3. that a fee of \$2.10 per hour be charged for new areas of paid parking where time restrictions apply and \$1.10 per hour for the all day parking areas; and**

2. The installation of Ticket Machines in the locations shown in Appendix 9.1.3B.

FURTHER REPORT:

The Council at its Ordinary Meeting held on 25 September 2012, resolved as follows:

“That the Item be DEFERRED to the Ordinary Meeting of Council on 9 October 2012.”

During the Public Question Time, three (3) members of the public spoke to the item and expressed concern over the introduction of paid parking and also the hours in which the paid parking was proposed to apply.

More specifically a representative from the Salvation Army noted that *‘the introduction of paid parking on Sundays will have a negative impact on attendance at the Salvation Army Church Service. Already the introduction of paid parking in other areas in the vicinity has reduced the number of church goers because of having to pay a fee. Seek consideration in reducing the hours of paid parking, in particular on Sunday mornings, before 12 noon.’*

The two residents from Tyne Square who spoke to the item noted that *‘paid parking should only apply during standard business hours’.*

These concerns have been addressed by reducing the areas subject to paid parking, and also reducing the operating hours that apply to the paid parking areas to align with the existing time restrictions within these affected streets.

So as to standardise operating hours for paid parking in the Perth Parking Management Area, to operate from 8.00am to 5:30pm Monday to Friday and 8am to 12 Noon Saturday, it will be necessary to alter the period of the restrictions on the south side of Parry Street, between Lord and Pier Streets, which currently operates between 8am and 6pm Monday to Saturday.

A summary of the amended proposal is shown in the table below:

Street	Current Occupancy	No. of Machines Proposed	Proposed Operating Hours
Beaufort Street, between Newcastle & Brisbane Streets	95 %	5	8am-5.30pm Mon – Fri & 8am – 12 noon Sat 2P, 1P and ¼P
Braid Street, between Newcastle & Parry Streets	95%	1	8am-5.30pm Mon – Fri & 8am – 12 noon Sat 2P and No Stopping
Parry Street, between Beaufort & Lord Streets	85%	7	** 8am-5.30pm Mon – Fri & 8am – Noon Sat 1P, 2P and ¼P
Pier Street, between Newcastle & Parry Streets	80%	2	8am-5.30pm Mon – Fri & 8am – Noon Sat 2P
Stirling Street, between Newcastle & Parry Streets	90%	2	8am-5.30pm Mon – Fri & 8am – Noon Sat 2P
TOTAL TICKET MACHINES REQUIRED = 20*			
TOTAL TICKET MACHINES IN STOCK			
TOTAL TICKET MACHINES SURPLUS = 15*			

** The South side of Parry Street, between Lord and Pier Streets currently has a 2P restriction, operating from 8am to 6pm Mon to Sat

** Amended at the Ordinary Meeting of Council held on 9 October 2012.

In the interest of consistency, it is recommended that the time and paid parking restrictions on the north side of Newcastle Street mirror the time and paid restrictions in the City of Perth, on the south side of Newcastle Street. The restrictions in the City of Vincent, currently operating till midnight, remain in place drivers are likely to park on the City of Perth area at (say) 5pm and pay for one hour parking and thereafter it is free. The City would thereby miss out on some parking fees in the evenings, since drivers will choose to use the free area. The current restrictions on the north side of Newcastle Street are 8am to midnight Monday to Sunday, with a two hour paid parking time restriction, operating between 8am and 7pm Monday to Sunday. The proposed restrictions would operate with a two hour paid parking restriction between 8am and 6pm Monday to Saturday, and a two hour free parking restriction between Noon and 6pm on Sunday.

COMMENTS:

The Council is requested to re-consider the proposed areas and operating hours of paid parking as shown in Appendix 9.1.3A and 9.1.3B on the basis of the concerns raised during Public Question Time.

The Minutes of Item 9.1.11 from the Ordinary Meeting of Council held on 25 September 2012, 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.

9.1.4 Amendment No. 97 to Planning and Building Policy Manual – Finalisation of Appendix No. 17 – Design Guidelines for Lacey Street, Perth and designation of Lacey Street as a Heritage Area

Ward:	Both Wards	Date:	28 September 2012
Precinct:	All Precincts	File Ref:	PLA0241
Attachments:	001 - Summary of Submissions 002 - Amended Appendix 17-Design Guidelines for Lacey Street, Perth		
Tabled Items:	Nil		
Reporting Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the designation of a Heritage Area for No. 5 (Lot 52), No. 6 (Lot 16), No. 7 (Lot 53), No. 8 (Lot 17), No. 9 (Lot 12), No. 10 (Lot 18), No. 11 (Lot 11), No. 12 (Lot 19), No. 13 (Lot 10), No. 14 (Lot 20), No. 15 (Lot 9), No. 16 (Lot 21), No. 17 (Lot 8), No. 18 (Lot 22), No. 19 (Lot 7), No. 20 (Lot 23), No. 21 (Lot 6), No. 22 (Lot 24), No. 23 (Lot 5), No. 24 (Lot 25), No. 26 (Lot 26), No. 28 (Lot 27), No. 30 (Lot 28) and No. 32 (Lot 29) Lacey Street, Perth in accordance with clause 24 of the City of Vincent Town Planning Scheme No. 1; and
2. **ADOPTS** the final version of Appendix 17 – Design Guidelines for Lacey Street, Perth pursuant to clause 24 (2) of the City of Vincent Town Planning Scheme No. 1, as shown in Appendix 9.1.4B (002), to guide development within the designated Heritage Area outlined in clause 1 above; and
3. **AUTHORISES** the Chief Executive Officer to advertise the final amendments to Appendix No. 17 – Design Guidelines for Lacey Street, as shown in Appendix 9.1.B (002), in accordance with Clause 47(6) of the City’s Town Planning Scheme No. 1; and
4. **AUTHORISES** the Chief Executive Officer to amend the eligibility of the City’s Heritage Assistance Fund to enable owners of properties within a Heritage Area to be eligible for financial assistance through this program.

The Presiding Member Mayor Hon. Alannah MacTiernan requested the Director Planning Services to provide an explanation on the changes that would be made as a result of this Policy.

The Director Planning Services explained the various changes.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Carey, Seconded Cr Pintabona

That the item be DEFERRED to the Ordinary Meeting of Council to be held on 23 October 2012, to clarify the degree of support or otherwise amongst the owners of the Lacey Street properties.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (5-2)

For: Mayor Hon. Alannah MacTiernan, Cr Carey, Cr McGrath, Cr Pintabona, Cr Wilcox

Against: Cr Buckels, Cr Maier

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

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 Appendix No. 17 – Design Guidelines for Lacey Street, Perth and to seek final adoption of this Policy; and
- Provide the Council with an overview of the outcomes of the formal advertising of the proposed designation of Lacey Street as a Heritage Area, and for the Council to designate Lacey Street as a Heritage Area, pursuant to clause 24 of the City of Vincent Town Planning Scheme No. 1.

BACKGROUND:

The City of Vincent Draft Town Planning Scheme No. 2 (TPS No. 2) and Local Planning Strategy (LPS) were endorsed by the Council at the Ordinary Meeting held on 20 December 2011. These documents, along with the draft Precinct Policies were sent to the Department of Planning on 23 December 2011 in order for them to give the City consent to advertise the TPS No. 2 and LPS. As a part of the scheme review process, the City's Officers are also reviewing the Planning and Building Policy Manual. Appendix No. 17 – Design Guidelines for Lacey Street, Perth formed part of the Amendment No. 97 to the City's Planning and Building Policy Manual. As the review of the Lacey Street Design Guidelines also included the designation of Lacey Street as a Heritage Area, it was considered appropriate that the finalization of this Policy and the designation of Lacey Street as a Heritage Area be reported to the Council as a separate item.

History:

Date	Comment
27 June 2006	The Council at its Ordinary Meeting resolved to receive and advertise the draft Policy relating Appendix No. 17 – Design Guidelines for Lacey Street, Perth
5 December 2006	The Council at its Ordinary Meeting resolved to adopt the Policy relating Appendix No. 17 – Design Guidelines for Lacey Street, Perth.

Previous Reports to Council:

The report to commence the advertising of Appendix No. 17 – Design Guidelines for Lacey Street, Perth and Lacey Street being designated as a Heritage Area was considered at the Ordinary Meeting of Council on 12 June 2012, as item 9.1.6. The link to the minutes is as follows:

<http://www.vincent.wa.gov.au/files/e3274710-848c-46b4-8a65-a068010c0404/20120612.pdf>

The report which acknowledged that the finalisation of Appendix No. 17 – Design Guidelines for Lacey Street and the designation of Lacey Street as a Heritage Area were to be extended for further advertising was considered by the Council at its Ordinary Meeting on 28 August 2012, as item 9.1.4. The link to the minutes is as follows:

<http://www.vincent.wa.gov.au/files/dae2ad39-bd28-47bb-a24b-a0b500d06bb4/20120828.pdf>

DETAILS:

The City's Officers have reviewed Appendix No. 17 – Design Guidelines for Lacey Street, Perth to align with Lacey Street being identified as a Heritage Area in accordance with clause 24 of the City of Vincent Town Planning Scheme No. 1.

Following the advertising period, some further minor amendments are proposed to Appendix 17 – Design Guidelines for Lacey Street, Perth including greater clarification for the provisions on demolition, sustainable design, front fences and side setbacks. The proposed further changes to the Policy are shown in strike-through and underline in Appendix 9.1.4B (002) of this report.

CONSULTATION/ADVERTISING:

The amendment to the Appendix 17 – Design Guidelines for Lacey Street Perth was advertised in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1, commencing on 26 June 2012 and closing on 23 July 2012.

The designated of the Heritage Area was advertised in accordance with Clause 24 (4) of the City's Town Planning Scheme No. 1. A total of 54 individual letters were sent to all owners and occupiers in Lacey Street, together with standard letters to State Agencies and surrounding Local Government Authorities.

~~In total, 12 submissions were received as follows:~~

- ~~• 4 – stated support for the proposal;~~
- ~~• 4 – stated objection for the proposal; and~~
- ~~• 4 – stated neither objection nor support for the proposal.~~

A breakdown of the 12 submissions received is as follows:

Owners of Lacey Street Properties

- 2 – stated support for the proposal
- 4 – stated objection for the proposal
- 3 – stated neither objection nor support for the proposal

State Agencies and Local Government Authorities:

- 2 – stated support for the proposal
- 1 – stated neither support or objection for the proposal

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

The comments received are summarised in the Summary of Submissions shown in Appendix 9.1.4A (001), with corresponding Officer Responses to each issue raised.

LEGAL/POLICY:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1 and associated Policies; and
- Residential Design Codes of Western Australia.

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 assessment and determining applications for Planning Approval.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 - Objective 1 states:

"Natural and Built Environment

1.1 *Improve and Maintain the Environment and Infrastructure*

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

SUSTAINABILITY IMPLICATIONS:

The following tables outline the applicable sustainability issues for this Policy and Heritage Area designation.

ENVIRONMENTAL	
Issue	Comment
The Design Guidelines and associated Heritage Area proposed for Lacey Street serve to promote and encourage the principle of adaptive re-use and the retention of existing building materials and structures.	

SOCIAL	
Issue	Comment
The Design Guidelines and associated Heritage Area proposed for Lacey Street serve to highlight the unique character of this street and its contribution to the understanding of Vincent's heritage and social history.	

ECONOMIC	
Issue	Comment
There are no economic matters that relate specifically to the Design Guidelines and associated Heritage Area designation for Lacey Street. Some comments made during the advertising period have identified concern that the proposed Heritage Area will have an adverse impact on property value. There is however no evidence to quantify this.	

FINANCIAL/BUDGET IMPLICATIONS:

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

'Town Planning Scheme Amendment and Policies'

Budget Amount: \$80,000
Spent to Date: \$ 1,124
Balance: \$78,214

The expenditure associated with the subject Planning and Building Policy Amendment is within the balance of the budgeted item.

COMMENTS:

Currently development within Lacey Street is guided largely by Appendix No. 17 – Design Guidelines for Lacey Street. This is a Local Planning Policy that is adopted pursuant to clause 47 of the City’s Town Planning Scheme No. 1. Local Planning Policies are prepared by Local Governments to provide more detailed guidance for development, than that outlined in the Residential Design Codes of Western Australia.

Under the City’s Town Planning Scheme, if the Council considers that an area has unique and consistent attributes to warrant special planning control to conserve and enhance the character of an area, it can designate a Heritage Area. The guidance for development within a Heritage Area is also guided by a Local Planning Policy.

It is considered that the designation of the Heritage Area for Lacey Street provides a stronger recognition of the unique character of Lacey Street, whilst also providing the same flexibility and guidance to development that is provided in Appendix 17 – Design Guidelines for Lacey Street, Perth. In addition to this, it is proposed that all owners of property within the designated Heritage Area will now be eligible to apply for financial assistance for conservation works through the City’s Heritage Assistance Fund.

The City’s Officers have closely reviewed the comments received during the advertising period, and consider that the proposed minor amendments to Appendix No. 17 – Design Guidelines for Lacey Street, Perth will continue to ensure that the retention of the unique character of Lacey Street is balanced with enabling innovative design.

In light of the above, it is recommended that the Council approve the designation of Lacey Street as a Heritage Area as well as the amendments to Appendix No. 11 – Design Guidelines for Lacey Street, Perth to the City’s Planning and Building Policy Manual.

9.1.5 Town Planning Scheme Review - Approval of the Community Engagement Plan

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	PLA0140
Attachments:	001 – Community Engagement Plan 002 – Community Engagement Action Plan		
Tabled Items:	Nil		
Reporting Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council **ENDORSES** the Community Engagement Plan and associated Community Engagement Action Plan for the Town Planning Scheme Review, as the key document to manage the advertising of the City's Local Planning Strategy, Town Planning Scheme No. 2 and associated Local Planning Precinct Policies, following consent to advertise being received from the Western Australian Planning Commission.

Moved Cr McGrath, Seconded Cr Maier

That the Officer Recommendation as changed, be adopted, as follows:

"That the Council **ENDORSES** the Community Engagement Plan and associated Community Engagement Action Plan for the Town Planning Scheme Review, as the key document to manage the advertising of the City's Local Planning Strategy, Town Planning Scheme No. 2 and associated Local Planning Precinct Policies, following consent to advertise being received from the Western Australian Planning Commission subject to the following;

- 1. Section 6.1 of the Community Engagement Plan being amended to refer to the 'five proposed precincts' instead of 'five precinct groups'; and**
- 2. The associated Community Engagement Action Plan being amended as follows:**
 - 2.1 rename the dates to 'week numbers' starting at week 1 for the first action;**
 - 2.2 renumber each action to give a different number;**
 - 2.3 give an indication of the dependencies for the items that are subject to WAPC consent to Advertise; and**
- 3. The deletion of the Deliberative Democracy Forum."**

Debate ensued.

Cr Carey departed the Chamber at 6.52pm.

Debate ensued.

Cr Carey returned to the Chamber at 6.54pm.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.5

That the Council ENDORSES the Community Engagement Plan and associated Community Engagement Action Plan for the Town Planning Scheme Review, as the key document to manage the advertising of the City's Local Planning Strategy, Town Planning Scheme No. 2 and associated Local Planning Precinct Policies, following consent to advertise being received from the Western Australian Planning Commission, subject to the following;

1. Section 6.1 of the Community Engagement Plan being amended to refer to the 'five proposed precincts' instead of 'five precinct groups'; and
2. The associated Community Engagement Action Plan being amended as follows:
 - 2.1 rename the dates to 'week numbers' starting at week 1 for the first action;
 - 2.2 renumber each action to give a different number;
 - 2.3 give an indication of the dependencies for the items that are subject to WAPC consent to Advertise; and
3. The deletion of the Deliberative Democracy Forum."

PURPOSE OF REPORT:

The purpose of this report is for the Council to approve for the Community Engagement Plan for the Town Planning Scheme Review.

BACKGROUND:

The Council at its Ordinary Meeting held on 21 December 2012 approved for the City's Local Planning Strategy, Town Planning Scheme No. 2 (text and maps) and associated Local Planning Precinct Policies to be forwarded to the Western Australian Planning Scheme for consent to advertise. The documents were delivered to the Department of Planning on the 23 December 2011; however, to date the City has not received a formal status of the consideration of these documents to be advertised for public comment, in accordance with the *Town Planning Scheme Regulations 1967*.

Whilst formal consent to advertise has not yet been received, it is considered paramount that the City is well prepared to commence the advertising once this consent is received. Accordingly, it is important that the subject Community Engagement Plan is considered and supported by the Council, to ensure an agreed framework is in place prior to advertising commencing.

History:

Date	Comment
20 December 2011	Council approved Local Planning Strategy, Town Planning Scheme No. 2 (text and maps) and associated Local Planning Precinct Policies to be forwarded to the Western Australian Planning Commission to consent to advertise.
8 March 2012	The City's Director Planning Services and senior staff from the City's Planning Directorate met with the Department of Planning Officers and provided an overview of the Town Planning Scheme No. 2.
14 May 2012	The City's Mayor Hon. Alannah MacTiernan wrote to the Director General of the Department of Planning seeking a written response to the status of the City's Town Planning Scheme No. 2.
6 July 2012	The City's Strategic Planning staff met with the Department of Planning Officers to discuss the City's Town Planning Scheme No. 2.
11 July 2012	The City's Strategic Planning staff received preliminary feedback from the Department of Planning staff with respect to the Town Planning Scheme No. 2, in particular elements of the Town Planning Scheme No. 2 which vary from the Model Scheme Text. Planning Services Directorate currently reviewing the feedback received to provide further justification to the Department of Planning.

Previous Reports to Council:

The Town Planning Scheme Community Engagement Plan was reported to the Council on 14 August 2012, where the Council resolved that the Methodology be further reviewed before being reported back to the Council for final endorsement. The minutes of Item 9.1.9 from this meeting are available on the City's website at the following link:

<http://www.vincent.wa.gov.au/files/add8b1fe-11f1-4c25-9605-a0a700df499f/20120814.pdf>

DETAILS:

Purpose of Community Engagement Plan

It is essential to ensure that the City of Vincent has a Local Planning Strategy and Town Planning Scheme which are representative of the community's vision for growth and change into the future, whilst also supporting the broader strategic direction for the growth of Perth's Metropolitan Region outlined by the State Government. For this reason, the City is committed to ensuring that the community are given every opportunity to provide comment on the City's Local Planning Strategy, Town Planning Scheme No. 2 and associated Local Planning Precinct Policies.

The Community Engagement Plan has been prepared to provide a robust framework to manage and effectively deliver the community engagement required for the City's Local Planning Strategy, Town Planning Scheme No. 2 and associated Local Planning Policies.

As requested at the Ordinary Meeting of Council held on the 14 August 2012, the section relating to the Methodology has been further reviewed and now includes an open deliberative democracy style session that will provide the opportunity for discussion from a random selection of the City's ratepayers. The focus of this session will largely be on the higher level objectives and recommendations outlined in the Local Planning Strategy.

Other sections of the Methodology have also been reviewed and tweaked, in particular the preparation of a Information Brochure that is both visual and addresses the statutory requirements, to be the key tangible item that is released to the public, rather than standard letters.

Key Components the Community Engagement Plan

The Community Engagement Plan has been clearly set out and comprises the following key elements:

- Project background and Objectives;
- Community Engagement Objectives;
- Key Stakeholders;
- Engagement Parameters;
- Timeline;
- Budgetary Considerations;
- Consultation Methodology;
- Communication Types; and
- Community Engagement Action Plan

It is envisaged that the information detailed in the document, as shown in Appendix 9.1.5A (Attachment 001) and the accompanying Community Engagement Action Plan, will ensure that the community consultation objectives of this project are successfully delivered.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	No
Consultation Type:	N/A		
Comments Period:	N/A		

Whilst the Community Engagement Plan itself does not require advertising, it provides the framework for the advertising required for the Local Planning Strategy, the Town Planning Scheme No. 2 and associated Local Planning Precinct Policies. The former two documents are to be advertised in accordance with minimum requirements outlined in the *Town Planning Regulations 1967* and any further consultation that the City considers appropriate. The advertising procedures for the Local Planning Precinct Policies are at the discretion of the Council.

Regulation 12B of the *Town Planning Regulations 1967*, prescribes the minimum requirements for the advertising of the Local Planning Strategy, which is to be undertaken during a period of not less than twenty-one (21) days and Regulation 15 of the *Town Planning Regulations 1967* prescribes the minimum requirement for the Town Planning Scheme, which is to be undertaken not less than three (3) months from the date of publication of advertisement in the *Government Gazette*. Given that the City has presented a package to the Western Australian Planning Commission comprising the Local Planning Strategy, the Town Planning Scheme No. 2 and the associated Local Planning Precinct Policies, it is proposed that all documents are advertised over a three (3) month period.

LEGAL/POLICY:

1. Planning and Development Act 2005;
2. Town Planning Regulations 1967; and
3. City of Vincent Consultation Policy 4.1.5.

RISK MANAGEMENT IMPLICATIONS:

High: Providing a comprehensive Community Engagement Plan is essential in the appropriate management of the advertising of the Local Planning Strategy and Town Planning Scheme No. 2, as is required in accordance with the *Town Planning Regulations 1967*.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

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

SUSTAINABILITY IMPLICATIONS:

The following tables outline the applicable sustainability issues for the review of the Town Planning Scheme.

ENVIRONMENTAL	
Issue	Comment
	The Local Planning Strategy and Town Planning Scheme No. 2 and associated Policies support environmental sustainability through various measures such as encouraging improved access by promoting the use public transport, cyclists and pedestrians to reduce air emissions from private cars, increase and enhance green spaces and tree plantings both in the public and private realm, promoting best practice sustainable design that responds to the environment and encouraging the adaptive reuse and retention of existing buildings.

SOCIAL	
Issue	Comment
	The Local Planning Strategy and Town Planning Scheme No. 2 and associated Policies aims to build a sense of community through encouraging diverse, interactive and vibrant meeting places in each of the City's five (5) commercial centres, whilst also ensuring pedestrian friendly residential areas and accessible public open space.

ECONOMIC	
Issue	Comment
	The Local Planning Strategy and Town Planning Scheme No. 2 and associated Policies have been written with due regard to the City's Economic Development Strategy 2011-2016 and additional economic analysis, to ensure that the promotion of a diverse range of uses in each of the City's Activity Centres and the opportunity for corresponding residential population growth within the City's residential areas.

FINANCIAL/BUDGET IMPLICATIONS:

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

Town Planning Scheme Amendments and Policies

Budget Amount: \$80,000
Spent to Date: \$ 1,124
Balance: \$80,000

It is envisaged that the advertising of the Local Planning Strategy, Town Planning Scheme No. 2 may cost up to \$50,000.

COMMENTS:

To progress the gazettal of the City's Town Planning Scheme No. 2, it is considered paramount that the City has an agreed Community Engagement Plan in place ready to roll out the consultation of the Town Planning Scheme No. 2 once the consent to advertise has been provided by the Western Australian Planning Commission. A key component of the Plan is for the City's staff to hold a briefing session with all Council Members to ensure that they are well informed of the process prior to commencement and to ensure consistency in messages from both the City's Administration and Council Members.

As shown in Appendix 9.1.5B (Attachment 002), it is considered that the Community Engagement Plan is a comprehensive document with the appropriate level of detail to ensure the effective delivery of the community consultation on the City's Local Planning Strategy, Town Planning Scheme No. 2 and associated Local Planning Precinct Policies. The Community Engagement Action Plan, which forms an Appendix to the Community Engagement Plan, provides the more detailed information on the process and tasks to be undertaken prior, during and following the statutory advertising period. The Action Plan will be completely populated with timeframes, once the City has received the consent to advertise from the Western Australian Planning Commission, and all Council Members will be informed accordingly. In the interim however, the City's Officers will complete the preparatory work and will provide a Briefing Session to a Council Member Forum, likely in September 2012 with an overview of the community consultation package.

In light of the above, it is recommended that the Council adopt the Officer Recommendation to endorse the Community Engagement Plan for the Town Planning Scheme Review.

9.2.1 City of Vincent 'Hyde Park Catchment Management Plan' - Adoption

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	RES0042
Attachments:	001 - Catchment Management Plan		
Tabled Items:	Nil		
Reporting Officers:	J Parker, Project Officer – Parks & Environment; and R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the City of Vincent 'Hyde Park Catchment Management Plan – dated 2012, as shown at Appendix 9.2.1 (001), to be used as a guiding document for improving the quality of water flowing into the Hyde Park Lakes;
2. **LISTS** an amount of \$5,000 for consideration in the 2013/2014 draft budget to carry out the listed actions in the 'Hyde Park Catchment Management Plan';
3. **AUTHORISES** the Chief Executive Officer to:
 - 3.1 **advertise** the Hyde Park Catchment Management Plan for a period of twenty-one (21) days, seeking public comment; and
 - 3.2 **report back** to the Council if any submissions are received; and
4. **NOTES** further progress reports on the implementation of actions detailed in the 'Hyde Park Catchment Management Plan' will be submitted to the Council.

COUNCIL DECISION ITEM 9.2.1

Moved Cr McGrath, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to request the adoption of the City's 'Hyde Park Catchment Management Plan'.

BACKGROUND:

In 2011 the Council adopted the Sustainable Environment Strategy 2011-2016 which outlines the actions required to achieve the objectives listed in the strategy. In accordance with objective 3.2 Water Quality & Consumption: Action 2.6 states;

“Develop and implement a comprehensive Catchment Management Plan for the City to reduce sources of stormwater and groundwater contamination (nutrient and non-nutrient), and to recharge groundwater by increasing stormwater infiltration and retention on site.”

At its Special Meeting held on 13 October 2009 (Hyde Park Lakes Restoration Project – Progress Report No 7) the Council made the following decision (in part):

“(vi) *AUTHORISES the Chief Executive Officer to;*

(i) prepare a Catchment Management Plan to minimise further pollutants entering the Hyde Parks Lakes.”

DETAILS:

In accordance with the Council's decision a 'Hyde Park Catchment Management Plan' that provides the relevant background to the Hyde Park catchment area and the traditional values of the locale have been developed.

The plan identifies the relevant elements required in a catchment management plan in line with the City's values and other relevant documents, such as the Sustainable Environment Strategy, Water Conservation Plan and the Vincent Habitat Project.

The Plan contains the following eleven (11) Elements:

Element 1	Site Investigation;
Element 2	Legislation;
Element 3	Identification and Working with Stakeholders;
Element 4	Monitoring High Risks;
Element 5	Moving Forward;
Element 6	Community Engagement;
Element 7	Monitoring and Analysis;
Element 8	Planning for Emergencies;
Element 9	Water Quality Improvement;
Element 10	Council Commitment; and
Element 11	Increasing Biodiversity.

Each of the elements have an objective and in order for the City to successfully achieve the short, medium and long term objectives a number of actions have been developed and listed under each of the action as follows:

- Short term actions zero (0) to three (3) years;
- medium term actions three (3) to six (6) years; and
- long term actions six (6) to ten (10) years.

The Hyde Park Catchment Management Plan provides a guide for addressing any major issues within the catchment area and identifies opportunities for improvement and the implementation of appropriate actions for water quality improvements throughout the catchment and surrounding ecological systems.

Integrated catchment management provides numerous benefits to the surrounding natural environment and the local flora and fauna.

CONSULTATION/ADVERTISING:

The Hyde Park Catchment Management Plan will be advertised for public comment for twenty-one (21) days.

If no submissions are received, the plan will be adopted without any changes. Any submissions will be reported to the Council for consideration.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Medium: If the Hyde Park Catchment Management Plan is not adopted the City may be at a medium risk of a polluted catchment area.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* 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".
1.1.3: Take action to reduce the City's environmental impacts and provide leadership on environmental matters."*

SUSTAINABILITY IMPLICATIONS:

The City is committed to the principles of environmental protection and through policy development will ensure the longevity of the natural environment.

In accordance with the objective of Sustainable Environment Strategy – 3.2 Water Quality & Consumption: Action 2.6;

"Develop and implement a comprehensive Catchment Management Plan for the City to reduce sources of stormwater and groundwater contamination (nutrient and non-nutrient), and to recharge groundwater by increasing stormwater infiltration and retention on site."

FINANCIAL/BUDGET IMPLICATIONS:

The cost of implementing the actions outlined in the plan will vary from year to year however is estimated that each year for a five (5) year period an amount of \$5,000 will be required for water analysis, water treatment and investigation of remediation options.

In addition any actions identified will be listed for consideration in that year's draft budget e.g. increasing infiltration etc.

COMMENTS:

The adoption of the Hyde Park Catchment Management Plan will provide guidelines for officers and the Council for the enhanced management of the catchment area resulting in improved water quality and overall ecological health.

It is therefore recommended that the Council adopts the plan and lists an amount of \$5,000 for consideration in the 2013/2014 draft budget.

The Council shall receive progress reports on the implementation of the actions outlined in the Hyde Park Catchment Management Plan.

9.2.3 Beaufort Streetscape Improvements – Further Review of Proposed Tree Species

Ward:	South	Date:	28 September 2012
Precinct:	Forrest (14), Mount Lawley (11)	File Ref:	TES0234
Attachments:	001 – Proposed locations and species options		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

CORRECTED OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES**, as part of the 'Beaufort Street Enhancement Project', the planting of Apple Gums (*Angophora costata*), as a trial tree species, in Beaufort Street between Grosvenor Road and St Albans Avenue in;
 - 1.1 new locations as shown on the attached Plan No 2927-CP-01 and 02;
 - 1.2 nib locations of intersecting streets to replace any existing Bradford Pears, Claret Ash or Chinese Tallow; and
 - 1.3 locations where the existing Bradford Pear tree, located on the verge area, has either been vandalised and/or require replacement;
2. **APPROVES BY AN ABSOLUTE MAJORITY to fund the additional cost of the proposed landscaping works in Beaufort Street, estimated to cost \$20,500, from the Parking Funded City Centre and Parking Benefit Districts Upgrade and Promotion Reserve;**
- ~~2.3~~ **RETAINS** the existing planting theme along the centre median comprising of Spotted Gum trees (*Eucalyptus maculata*); and
- ~~3.4~~ **PROVIDES** an 'Information Bulletin' to Businesses in Beaufort Street advising them of its decision.

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

COUNCIL DECISION ITEM 9.2.3

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr McGrath, Seconded Cr Pintabona

That the item be DEFERRED to allow for further investigation and consideration of the proposed tree species.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of the report is to provide the Council with further information in regard to alternative tree species that may be planted along the verges in Beaufort Street.

BACKGROUND:

Ordinary Meeting of Council - 14 April 2009

At the meeting the following decision was made (in part);

“That the Council;

- (4) (i) *REAFFIRMS its support for the planting of Spotted Gums in the Beaufort median strip, however, APPROVES the planting of Bradford Pear Trees along the verges only, in lieu of Broad Leaf Paperbarks, due to a request received from the Beaufort Network Group for the Council to reconsider the trees selected for the street given their general unattractive and scrappy appearance and sets up a working party which includes members of the Beaufort Street traders/ratepayers to assist in the selection and siting of future street furniture and possible street art.”*

The resultant planting were the Bradford Pear Trees in the verges and the Spotted Gums in the medium strips. There is no intention to remove these trees. This report relates to new planting that will ‘add value’ to what already exists.

DETAILS:

Street Tree Selection

As reported to the Council on numerous occasions, the street tree selection for Beaufort Street has been a difficult one, particularly along the verges where vandalism is an ongoing issue, the verge space available for planting is limited and the trees have to contend with close passing buses and trucks.

The other consideration to take into account with selection of a tree species is their availability in larger containers/heights not only at the time of planting but in the longer term for replacement plantings as vandalism of trees is an ongoing issue in Beaufort Street

Native species which are generally more resilient than exotic species in these situations were selected for the median islands (Spotted Gums) and these have established and matured quickly given the limited hand watering undertaken over the summer months.

Discussion:

The initial Council decision was to plant Paperbarks (*Melaleuca quinquenervia*) along the verges; however this was changed to the Bradford Pear which staff has been trying to establish within the streetscape since 2009.

In addition to their availability and establishment within a harsh environment, the Bradford Pear was selected after many community members had expressed their delight at what had been achieved in Scarborough Beach Road and the transformation the Bradford Pears had made to the area.

Whilst staff still considers the upright form of the Bradford Pear to be ideal for this location, in excess of sixty (60) trees have required replacement due to vandalism and after three (3) years many community members want a change.

The following table outlines a number of tree species that have been put forward as possible alternatives for the Bradford Pears located along the verges in Beaufort Street.

Suggested Tree Species for planting along Beaufort Street verges

Tree Species	Availability	Largest Available Size	Growth Rate	Suitability	Comments
Pyrus (Bradford Pear)	Readily available	200L/4m	Medium	Excellent	Upright form is ideal in this location where planting is close to carriageway.
Melaleuca (Paperbark)	Readily available	200L/4m	Medium	Excellent	Upright form is ideal in this location where planting is close to carriageway. Has been considered and discounted previously

Angophora (Apple Gum)	Readily available	100L/2.5m	Fast	Good	Worth trialling given its success in Newcastle Street
Euc. eximia (Yellow bloodwood)	Currently unavailable	N/A	Fast	Good	Are being grown on by a local tree nursery for future use within the City,

Tree Species	Availability	Largest Available Size	Growth Rate	Suitability	Comments
Schinus (Peppercorn Tree)	Rarely available	45L/2m	Medium	Average	Ok at intersection locations identified, but too large a tree for verge planting.
Jacaranda (Jacaranda)	Readily available	500L/5m	Slow	Average	Ok at intersection locations identified, but too large a tree for verge planting.

Tipuana (Pride of Bolivia)	Readily available	200L/4m	Fast	Average	Ok at intersection locations identified, but too large a tree for verge planting.
Euc. maculata (Spotted Gum)	Readily available	200L/6m	Fast	Average	Upright form is ideal in this location where planting is close to carriageway, however over the long-term will cause damage to road/kerb infrastructure.
Brachychiton (Kurrajong)	Available	45L/2m	Slow	Average	Irregular form and fruit is likely to be an ongoing issue
Callistemon Species (Bottlebrush)	Readily available	45L/2m	Medium	Average	Some excellent species such as 'Perth Pink' are available, however are relatively slow growing/prone to vandalism.

Podocarpus (Plum Pine)	Rarely available	45L/2m	Slow	Poor	Fruit from female trees will be an ongoing issue.
Celtis (Hackleberry)	Rarely available	45L/2m	Medium	Poor	Tree canopy is too broad
Platanus (London Plane)	Readily available	500L/5m	Fast	Poor	Far too large a tree for this area and over the long-term will cause damage to road/kerb infrastructure.

One of the other problems along Beaufort Street is the lack of and difficulty in installing reticulation infrastructure from which to water additional trees and garden areas. Whilst hand watering has not been a major issue affecting the Bradford Pears, native trees/shrubs are likely to fare better in this 'hostile' environment.

Officer Comments:

Given the success of the native Apple Gum (*Angophora costata*) in Newcastle Street it is therefore recommended that the planting of Apple Gums be trialled in any new tree locations along Beaufort Street as shown in attached plan No 2927-CP-01 and 02.

Important Information:

It should be noted that the officers consider any tree species selected (given the tree well area available/ size of trees planted) will be vulnerable to ongoing vandalism and establishment of an aesthetic pleasing streetscape will be difficult in this situation..

Tree guards/surrounds are extremely expensive and from past experience are unlikely to be overly effective in preventing vandalism of trees.

The verge trees, if allowed to mature will only ever form a canopy over the footpath as passing traffic will naturally prune any vegetation encroaching over the road until they reach a significant height.

CONSULTATION/ADVERTISING:

All business owners and affected residents will be advised of the Council decision.

LEGAL/POLICY:

Beaufort Street is a District Distributor A Road under the Care Control and Management of the City of Vincent.

RISK MANAGEMENT IMPLICATIONS:

Medium to High:

As previously reported to the Council, Main Roads WA has guidelines in accordance with Austroads and the Australian Standards for the "Assessment of Roadside Hazards" and "Guidelines for Assessing Trees within Recovery Zones on Established Roads".

While their guidelines are tailored more for Primary Distributors, which predominantly have higher vehicle speeds, the guidelines outline in detail the importance of maintaining clear zones and the risk management measures to be implemented where vegetation may encroach into a clear zone. Austroads suggests that the first 4m to 5m from the edge of the travel lane provides most of the potential benefit. Frangible shrubs and bushes are permitted in the clear zone where they do not pose a risk to drivers, etc.

It is therefore considered that, even though the speeds in Beaufort Street are considerably lower than most Primary Distributors (excluding Charles Street and East Parade which are both Primary Distributors) with a posted speed of 60kph (outside of the 40kph speed restrictions as part of the variable speed zone trial) the traffic volumes are high and while, given the site constraints, it is not possible or practical to maintain a "clear zone", the type of tree selected should not further compromise safety in an already high risk area.

Also Element 2 of the Liveable Neighbourhoods document addresses trees in streetscapes with setback distances for trees from a moving travel lane specified. The distances have been specified taking into account a range of factors. The design environment for an urban street is to create an environment of care and the traffic calming benefit of street trees relatively close to the pavement is an integral part of this.

In essence, the Liveable Neighbourhoods document indicates that for a District Distributor Road with a posted speed of 60 kph, the clearance from the travel lane to a frangible tree (i.e. a tree less than 100mm in diameter) should be 2.0m and for 50 kph the clearance from the travel lane to a frangible tree should be 0.75m.

For a non frangible tree (i.e. a tree greater than 100mm in diameter) the clearance should be 2.5m for 60 kph and for 50 kph the clearance from the travel lane to a frangible tree should be 1.15m.

Beaufort Street, no matter what tree species is planted in the central median, will not comply with either MRWA or the Liveable Neighbourhood requirements.

Therefore, whatever tree species is chosen for Beaufort Street, it will not be sustainable in the longer term unless the road was (in future) reduced to two (2) lanes with a wide medium or the posted speed was permanently reduced to say 40kph

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* 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.

1.1.3: Take action to reduce the City's environmental impacts and provide leadership on environmental matters."

SUSTAINABILITY IMPLICATIONS:

The street tree selection for Beaufort Street has always been a difficult choice given the narrow median strip being an extremely "hostile" environment for trees to grow and the verge space available also being restrictive with adjacent building and awnings.

Native trees are more resilient and more sustainable than exotic species in these situations in the longer term however the availability in what tree farms actually grow and have available in larger containers not only at the time of planting but in the longer term for replacement plantings is an issue

FINANCIAL/BUDGET IMPLICATIONS

An amount of \$322,460 has been allocated in the 2012/2013 for the Beaufort Streetscape Enhancement Project Stages 1 & 2.

COMMENTS:

As noted within the report and outlined in previous reports to the Council, it is going to be difficult to successfully establish and tree species along the verges of Beaufort Street for the reasons highlighted.

However, it is worthwhile experimenting with another verge species that is readily available, fast growing and proven to be successful in Newcastle Street albeit where they have more space to mature and it is only a one lane road.

It is therefore recommend that panting with Apple Gums along the verges of Beaufort Street be trialled accordingly.

9.2.9 Further Report No 2 - Proposed 2 Hour Parking Restriction – Anzac Road, Mount Hawthorn

Ward:	North	Date:	28 September 2012
Precinct:	Mount Hawthorn (P1)	File Ref:	TES0508
Attachments:	001 – Plan No. 2784-PP-01		
Tabled Items:	-		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council DEFERS indefinitely the introduction of parking restrictions in Anzac Road between Oxford and Flinders Streets, Mount Hawthorn as illustrated on attached Plan No. 2784-PP-01 (Attachment 1) for the reasons outlined in the report.

COUNCIL DECISION ITEM 9.2.9

Moved Cr Buckels, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of further community consultation in regards to the introduction of timed parking restrictions in Anzac Road between Oxford and Flinders Streets, Mt Hawthorn.

BACKGROUND:

Ordinary Meeting of Council – 28 August 2012:

The Council considered a further report on the introduction of timed parking restrictions in Anzac Road between Oxford and Flinders Streets following decision was made:

“That the Council DEFERS the introduction of parking restrictions in Anzac Road between Oxford and Flinders Streets, Mt Hawthorn as illustrated on attached Plan No. 2784-PP-01 for the reasons outlined in the report until a further letterbox drop is undertaken in Anzac Road and the matter is reported back to Council in September/October 2012 and includes appropriate options to improve utilisation of the Oxford Street carpark.”

DETAILS:

Anzac Road parking:

In early September a letter box drop to 30 properties between Flinders and Oxford Street was undertaken to seek resident's views on the parking proposal. A new format was trailed to simplify the consultation form and comprised brief information on one side of the page with room for comments etc and important information to residents, printed in bold, on the other side of the page. This was then folded and distributed as a leaflet.

At the close of consultation on 26 September 2012 two (2) responses were received both against the introduction of parking restrictions.

Discussion/Comments:

As previously reported to Council officers previously met with some residents in the street and where appropriate extended the No Stopping Zones adjacent their crossovers to assist with their ingress and egress from their properties. This also resulted in fewer cars parking directly in front of their properties as it effectively reduced the available parking space as where previously two (2) or three (3) cars it had been reduced by one (1).

Therefore in respect to the resident's initial concerns regarding the parking congestion in Anzac Road between Oxford and Flinders Streets since March 2011, due to the changed situation and the measures undertaken by the City's officers, the City has not received any further written complaints.

This is evidenced by the poor response to the recent consultation were only two responses were received and both were against the introduction of parking restrictions.

Options to improve utilisation of the Oxford Street carpark:

This car park comprises 32 bays, ticket parking with the first our free. Several inspections were undertaken during the day and of the 32 bays less than 10 bays appeared to be in use occupied at the inspection times mainly at the Oxford Street end.

The following photo of the carpark was taken at 12.30pm on 28 September 2012:



Discussion/Comments:

During the inspections it was noted that there was ample available on road parking in Oxford and surrounding streets, which comprise free parking, an even with the 1 hour free incentive the carpark was very under used.

Better signage as part of the way finding signage strategy will be implemented to better advertise the carpark.

There are new developments in progress in the vicinity of the carpark and it is considered that carpark use should be monitored to determine whether usage increases over time or the Council may need consider whether a carpark of this size in this location is required

CONSULTATION/ADVERTISING:

Respondents will be advised of the Council decision.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2011-2016* 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:

Not applicable.

COMMENTS:

It is recommended that the proposal to implement additional parking restrictions in the section of Anzac Road between Oxford and Flinders Street be deferred indefinitely.

9.4.1 Beaufort Street Festival Parking – Use of Forrest Park and Barlee Street Car Park

Ward:	South	Date:	28 September 2012
Precinct:	Forrest, P 14	File Ref:	RES0003; PKG0013
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J MacLean, Manager Ranger and Community Safety Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES**;

1. The use of Forrest Park as a parking area, for use on Saturday, 17 November 2012, to accommodate parking for the Beaufort Street Festival, under the following conditions:
 - 1.1 The operating hours for the parking facility to be set from noon to midnight on 17 November 2012;
 - 1.2 A flat-rate fee of \$10.00 to be charged for each vehicle that uses the facility;
 - 1.3 Beaufort Street Festival Organisers to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility; and
 - 1.4 Beaufort Street Festival Organisers to undertake a letter drop to all properties in the area bounded by Harold Street, Lord Street, Walcott Street and Beaufort Street, to ensure that the community is aware of the use of Forrest Park as a parking area; and
2. The use of Barlee Street Car Park as a “European Foods, Food and Wine Stage” during the Beaufort Street Festival on Saturday, 17 November 2012, under the following conditions:
 - 2.1 Barlee Street Car Park will be closed to the public from 6am on Friday 16 November 2012 to midnight on Sunday, 18 November 2012, to accommodate the “bump-in’ and “bump-out” periods, as well as the Festival activities; and
 - 2.2 Barlee Street Car Park will be cleared, swept and re-opened for use by the public by 6am on Monday, 19 November 2012.

Mayor Hon. Alannah MacTiernan stated that she had declared a Proximity interest in the item. As the Council had approved of her request to participate in debate and vote on the item, she would therefore vacate the Chair and assume her position in Cr McGrath’s seat.

Deputy Mayor Warren McGrath assumed the Chair at 7.17pm.

Cr Carey departed the Chamber at 7.17pm.

Moved Cr Buckels, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Maier, Seconded Cr Buckels

“That a new Clause 3 be inserted as follows:

- 3. REQUESTS that the Chief Executive Officer investigate alternative mechanisms for managing Forrest Park parking on the Beaufort Street Festival Day.”**

Debate ensued.

AMENDMENT PUT AND CARRIED (5-1)

For: Mayor Hon. Alannah MacTiernan, Cr Buckels, Cr McGrath, Cr Maier, Cr Wilcox

Against: Cr Pintabona

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

(Cr Carey was absent from the Chamber and did not vote.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

(Cr Carey was absent from the Chamber and did not vote.)

Cr Carey returned to the Chamber at 7.26pm.

Mayor Hon. Alannah MacTiernan assumed the Chair at 7.26pm.

COUNCIL DECISION ITEM 9.4.1

That the Council APPROVES;

1. The use of Forrest Park as a parking area, for use on Saturday, 17 November 2012, to accommodate parking for the Beaufort Street Festival, under the following conditions:
 - 1.1 The operating hours for the parking facility to be set from noon to midnight on 17 November 2012;
 - 1.2 A flat-rate fee of \$10.00 to be charged for each vehicle that uses the facility;
 - 1.3 Beaufort Street Festival Organisers to undertake appropriate advertising to ensure that potential patrons are aware of the parking facility; and
 - 1.4 Beaufort Street Festival Organisers to undertake a letter drop to all properties in the area bounded by Harold Street, Lord Street, Walcott Street and Beaufort Street, to ensure that the community is aware of the use of Forrest Park as a parking area; and
2. The use of Barlee Street Car Park as a “European Foods, Food and Wine Stage” during the Beaufort Street Festival on Saturday, 17 November 2012, under the following conditions:
 - 2.1 Barlee Street Car Park will be closed to the public from 6am on Friday 16 November 2012 to midnight on Sunday, 18 November 2012, to accommodate the “bump-in’ and “bump-out” periods, as well as the Festival activities; and
 - 2.2 Barlee Street Car Park will be cleared, swept and re-opened for use by the public by 6am on Monday, 19 November 2012; and
3. REQUESTS that the Chief Executive Officer investigate alternative mechanisms for managing Forrest Park parking on the Beaufort Street Festival Day.

PURPOSE OF REPORT:

The purpose of this report is to;

1. Seek approval for the use of Forrest Park as a temporary parking facility, during the Beaufort Street Festival on Saturday, 17 November 2012, in order to ensure that inconvenience to residents, caused by patrons parking in the residential streets, is minimised; and
2. Obtain Council approval to close Barlee Street Car Park, from 6am on Friday, 16 November 2012 to midnight on Sunday, 18 November 2012, to allow for preparations before the event and disassembly after the event.

BACKGROUND:

The Council has previously allowed parking to take place on Forrest Park, both for a number of concerts held at nib Stadium and for the 2011 Beaufort Street Festival. The facility operated well for the 2011 Beaufort Street Festival and it is recommended that a similar approval be given for the 2012 Festival.

DETAILS:

Forrest Park

The Beaufort Street Festival Organisers made use of Forrest Park as a temporary parking facility for the 2011 Festival and this operated very well. The Festival Organisers have again requested approval to use Forrest Park for the 2012 Festival, which occurs on Saturday, 17 November 2012.

Following the same event in 2011, assessments of the impact of vehicles on the playing surface of Forrest Park revealed that no damage had been sustained as a result of its use. Despite the fact that the decision to use Forrest Park was taken quite late in the process, there were around 85 vehicles that used the facility during the Festival. Given that the decision has been taken much earlier in 2012, it is expected that the venue will be substantially better used this year. Forrest Park is large enough to accommodate up to 750 vehicles, without encroaching on the areas of the reserve used by Perth Soccer Club. Also, there is usually a two-week break between games, so even if there is some wear and tear on the ground, it will have adequate time to recover before being used again.

The organisers expect that the attendance numbers at the Festival could be as many as 100,000, over the course of the day, which is substantially more than the 80,000 that attended the 2011 event. The City operated a "Parking Hotline" for the 2011 Festival and, given that a larger crowd is expected to attend the 2012 event, it is confirmed that a similar system will be in operation. This "Parking Hotline" will be advertised locally as the contact number for any parking problems and the contact mobile telephone will be carried by the Supervising Ranger. Last year, he received only a very few complaints about parking in the streets around the Festival area and he dispatched a Ranger to assist as soon as he received a complaint.

The Beaufort Street Festival Working Group has suggested that the \$6.00 parking fee charged in 2011 was too low and that a flat rate fee of \$10.00 per vehicle should be charged for the 2012 Festival. It was also suggested that, if Forrest Park is to be approved, it should be a requirement for Festival Organisers to heavily promote the use of Forrest Park as a temporary parking venue.

Barlee Street Car Park

Barlee Street Car Park is to be used as a "European Foods, Food and Wine Stage", which will incorporate food tasting and wine tasting, so the car park will require a substantial amount of work to set up and decorate. As a result, the Festival Organisers would like to have exclusive access to the car park, for the whole of Friday, 16 November to set up the venue, Saturday, 17 November to operate the facility and all of Sunday, 18 November to take down the tables, decorations, etc.

Barlee Street Car Park is rarely full during the day on a Friday, although it is well-used on a Friday night and all day Saturday. The Car Park is little-used on a Sunday. As a result, while there will be some inconvenience to car park patrons on Friday, it is suggested that this would not pose a major problem, because there are other surrounding parking facilities that could be used.

CONSULTATION/ADVERTISING:

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

LEGAL/POLICY:

Road Closure approvals have already been applied for and most have been approved.

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

Because of the road closure, the PTA has arranged detours for public transport, to accommodate the event.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

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

"1.1.5 Implement the City's Car Parking Strategy and associated Precinct Parking Management Plans".

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

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

Staff Costs (Preparation)	10hours	\$ 350
Staff Costs (Operational)	60hours	\$2,400
Loss of Parking Revenue		<u>\$ 700</u>
Anticipated Expenditure		\$3,450
Anticipated Revenue Parking Fees		\$1,500
Spent to Date:		<u>\$ 0</u>
Net Anticipated Expenditure:		\$1,950

Given previous experience, there is unlikely to be any damage to the playing surface of Forrest Park, so there is likely to be no financial implications with regard to the infrastructure of Forrest Park. Since vehicles will be charged a fee to use the facility, the wages cost for Rangers to attend the facility will be partly offset by the revenue derived (anticipated as \$1,500).

Since Barlee Street Car Park will be unavailable between Friday 16 and Sunday 18 November, there will be a loss of net income to the City of approximately \$700.

COMMENTS:

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

It is recommended that a fee of \$10.00 per vehicle be levied. Further, if the availability of Forrest Park is advertised immediately prior to the Festival, this should result in a higher usage of the reserve.

9.4.2 Seniors Strategy and Over 55s Outings Programme Review – Progress Report No. 1

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	CMS0103
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	E Everitt, Community Development Officer J. Anthony, Manager Community Development		
Responsible Officer:	R. Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** Progress Report No. 1 on the request to investigate the Seniors Outing Programme and review of the City's Seniors Strategy; and
2. **REQUESTS** that a further progress report on the outcomes of the investigation and review be reported to the Council at the meeting to be held on 20 November 2012, after consideration by the Seniors Advisory Group.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Carey, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Cr McGrath departed the Chamber at 7.27pm.

Debate ensued.

Cr McGrath returned to the Chamber at 7.29pm.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

To update the Council on the progress of the investigation and review of the City's Senior Outings Programme and Seniors Strategy.

BACKGROUND:

The Over 55s Outings have been organised for active Vincent seniors to assist with preventing social isolation and encourage general wellbeing. These Outings have utilised the recently acquired 21 seater community bus to transport senior residents of the City on day trips to a variety of local attractions. The trips were designed for active seniors over the age of 55, with the aim to provide stimulating social activities for local residents, to reduce isolation, promote friendship and a sense of belonging to their community.

On 26 June 2012, the Council considered and approved of a Notice of Motion (submitted by Cr Carey) requesting an investigation into the City's Over 55s Outings after a presentation to a Council Forum; as follows;

"That the Council REQUESTS:

1. *the Chief Executive Officer to investigate and devise a new Seniors Outings Program for 2012/2013 financial year, which includes the use of external buses (one or more) to cater for the current high level of demand and drastically reduces or eliminates waiting lists. This investigation will include but not limited to:*
 - 1.1 *increase the frequency of the program visits if the budget allows; and*
2. *that a report be submitted to the Council for consideration and determination, no later than 30 August 2012; and*
3. *that subject to approval of the Clause 2, in order to increase the Senior's overall awareness of the City's new program/schedule, that it be advertised to existing members of the seniors database, as well as through newsletters, website, social media and local newspapers."*

DETAILS:

An initial investigation was conducted and the results presented at the Seniors Advisory Group meeting on 16 August 2012. These results included a confidential attachment with the breakdown of direct and indirect costs to the City, plus a comparison on services and programmes that were offered in neighbouring Local Governments.

Following the presentation, members of the Advisory Group discussed options on how to make the Seniors Outings more cost effective with the ability to serve a higher number of seniors. The Advisory Group resolved that further investigations be conducted to engage with agencies who had existing transportation resources to consider possible collaboration that would involve reformatting and reprogramming the Seniors Outings model into a more sustainable long term initiative. It was suggested that further work and discussions needed to be carried out before submitting a formal recommendation to the Council outlining any changes in the programme.

Based on the investigation carried out to date on the current Over 55s Outings, it was determined that although the trips are popular they may not be as efficient and cost effective as possible. The Seniors Advisory Group has discussed a number of options to improve on the cost effectiveness and the ability to serve a higher number of seniors on these trips. These options included but were not limited to:

- Outsourcing the trips to a tour Company that can do all inclusive trips including transport and activities for a fee per head;
- Commissioning and finding a not for profit organisation such as People Who Care to provide the service on behalf of the City;
- Changing the cost per head to reflect a more accurate amount of the actual cost; and
- Charging different costs to different residents based on means income testing.

These options are currently being investigated by undergoing consultations with residents who currently access the outings to consult on what they feel their needs are, contacting different tour operators to investigate cost and activity options and contacting different not for profit service providers to investigate their interest, ability and cost in operating the service on behalf of the City.

At this meeting, the Seniors Strategy was discussed with members requesting that the further investigations be conducted on the various initiatives that the City has engaged in, to ensure a true reflection of the work is presented and in order for the initiatives to be duly reviewed.

It was suggested that the City's Officers submit the requested information on the Over 55s Outings and the review of the Seniors Strategy at the next Seniors Advisory Group meeting to be held on 12 November 2012.

CONSULTATION/ADVERTISING:

Residents currently accessing the Seniors Outings, as well as Vincent Residents over 55 years of age on the City's senior's mailing list, will be consulted through this process to ensure the Seniors Outings remain a desirable option for seniors in Vincent.

Other Local Governments will be consulted in this process to see what they provide for over 55s in their Local Government and to gain information on whether or not these options are cost effective and serve the maximum number of residents possible.

Not for Profit service providers who are already in partnership with the City will also be consulted to see if the option of them being funded to carry out the service on the City's behalf is a viable and more cost effective option.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Low: Upon careful assessment this investigation has been determined as low risk.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016*, Objective 3.1 states:

"Enhance and Promote Community Development and Wellbeing:

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."*

SUSTAINABILITY IMPLICATIONS:

The investigation of the current format of the Over 55s Outings may produce a programme of activities that are more cost effective and capable of serving a higher number of residents. This reformatting will allow the Seniors Outings to be more sustainable in the long term.

FINANCIAL/BUDGET IMPLICATIONS:

There is an amount of \$8,000 allocated towards the Seniors' Study and \$30,000 allocated towards the Over 55s outings programme in the 2012/2013 Budget.

COMMENTS:

The Over 55s Outings are a very popular service that is offered to Vincent seniors. However, this programme has become so popular that it now has extensive waiting lists, which requires more staff resources, and is no longer deemed to be cost effective. The investigation on reformatting and reworking the outings programme is intended to allow for more cost effective outings that serve more residents equitably and therefore be sustained on a long term basis.

9.5.2 Strategic Community Plan – Review and Approval of Community Engagement Plan

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	ADM0038
Attachments:	001 – Community Engagement Plan		
Tabled Items:	Nil		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION

That the Council;

1. **APPROVES** of a review of its Strategic Community Plan 2011-2021, Corporate Business Plan 2011-2016 and the Community Engagement Plan, as detailed in this report; and
2. **AUTHORISES** the Chief Executive Officer to;
 - 2.1 Call for quotations and appoint a suitable consultant to assist in the review process; and
 - 2.2 In liaison with the Mayor to make minor changes to the Community Engagement Plan, as required.

Moved Cr McGrath, Seconded Cr Buckels

That the recommendation, together with the following change, be adopted:

“That the Council;

1. **APPROVES** of a review of its Strategic Community Plan 2011-2021, Corporate Business Plan 2011-2016 and the Community Engagement Plan, as detailed in this report; and
2. **AUTHORISES** the Chief Executive Officer to;
 - 2.1 Call for quotations and appoint a suitable consultant to assist in the review process; and
 - 2.2 ~~In liaison with the Mayor to make minor changes to the Community Engagement Plan, as required,~~ **Commence the process of developing a draft Strategic Community Plan, with a Deliberative Democracy Forum.”**

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.5.2

That the Council;

1. **APPROVES** of a review of its Strategic Community Plan 2011-2021, Corporate Business Plan 2011-2016 and the Community Engagement Plan, as detailed in this report; and
2. **AUTHORISES** the Chief Executive Officer to;
 - 2.1 Call for quotations and appoint a suitable consultant to assist in the review process; and
 - 2.2 **Commence the process of developing a draft Strategic Community Plan, with a Deliberative Democracy Forum.**

PURPOSE OF REPORT:

The purpose of the report is to obtain the Council's approval of the process to review the Strategic Community Plan, Corporate Business Plan 2011-2016 and the Community Engagement Plan.

BACKGROUND:

As required by Legislation introduced in early 2011, all Local Governments in Western Australia are required to prepare a Strategic Community Plan by 30 June 2013.

Previous Reports to Council:

This matter was reported to Council on 22 March 2011

At the Ordinary Meeting of Council held on 8 May 2012, the Council considered this matter and resolved to defer its review until October 2012.

Current Plan:

A full current Plan was originally adopted at the Ordinary Meeting of Council held on 10 March 2009 and was last reviewed at the Ordinary Meeting of Council held on 14 June 2011. The Plan is required to be reviewed every two (2) years – hence the current review.

Plan for the Future

The Act and regulations do not prescribe the format of the Plan for the Future – this is the prerogative of each Local Government. However, the Department for Local Government has issued a guideline; "Integrated Planning and Reporting Advisory Standard.

The Plan for the Future is designed to assist the Council, Administration and the community to understand the broad directions the Council will be taking in the future.

DETAILS:

In January 2011, the Department of Local Government, advised all Local Governments of the new Legislative requirements for a Plan for the Future.

An Integrated Planning and Reporting Framework and Guidelines has been introduced in Western Australia as part of the State Government's Local Government Reform Program initiated by Local Government Minister Hon John Castrilli MLA.

The Local Government Reform Steering Committee noted that while there are examples of good organisational planning in the Local Government sector, the sector overall is not strong in having:

- Strategic planning systems that deliver accountable and measurable linkages between community aspirations, financial capacity and practical service delivery;
- Financial planning systems that accurately demonstrate a Local Government's capacity to deliver services and manage assets that can sustain their communities into the future; and
- Effective asset management systems with the rigour of process and integrity of data to accurately reflect true asset management costs.

The proposed framework document directly addresses these concerns by providing a process to:

- Ensure community input is explicitly and reliably generated;
- Provide the capacity for location specific planning where appropriate;
- Inform the long term objectives of the Local Government with these inputs;
- Identify the resourcing required to deliver against the long term objectives; and
- Clearly articulate long term financial implications and strategies.

An integrated strategic planning approach will enable more effective delivery of the Local Government's strategic intentions.

The Framework and its Guidelines outline the minimum planning and reporting methodology to achieve the outcomes prescribed in the legislation. They are not intended to restrict the range of processes that may be undertaken within a Local Government to achieve those outcomes.

The Framework:

- Recognises that planning for a Local Government is holistic in nature and drive by the community;
- Builds organisational and resource capability to meet community need;
- Optimises success by understanding the integration and interdependencies between the components; and
- Emphasises performance monitoring so that Local Governments remain adaptive and responsive to changes in community needs and the business environment.

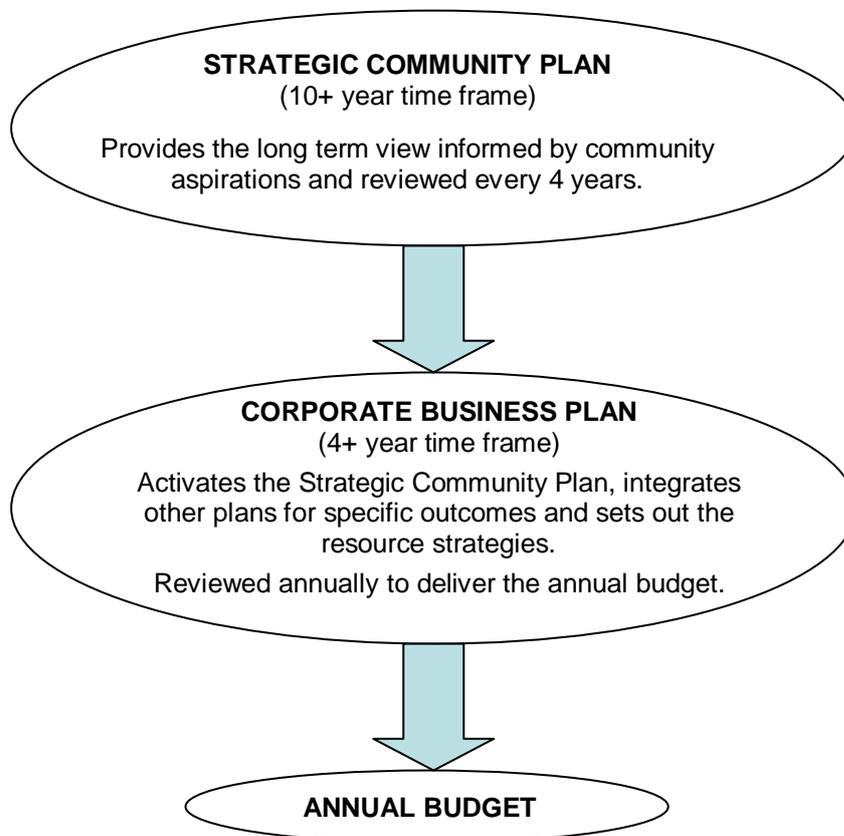
The format and structure of individual Local Government's integrated strategic plans will vary with the size and complexity of the Local Government. While it is anticipated that Local Governments will develop a Strategic Community Plan and a Corporate Business Plan, planning elements such as Informing Strategies and the Corporate Business Plan may be presented in a single document or as a range of separate documents.

The DLG advises that this Integrated Strategic Planning Framework provides the basis for improving the practice of strategic planning in Local Government. It addresses the minimum requirements to meet the intent of the Act and outlines process and activities to achieve an integrated strategic plan at the individual Local Government level.

There are three major parties to the development of an integrated strategic plan:

1. **The community** – participates in a community planning process to determine major vision or intended big picture directions and also participates in regular reviews of those directions;
2. **The Council** – signs off the Strategic Community Plan resulting from the community planning process, the four year reviews updating that plan, and the annual budget; and
3. **The Local Government Administration** – supports delivery of the Strategic Community Plan, the 4 yearly reviews, and annual budget through its corporate business planning.

To achieve an integrated strategic planning process at least two plans are needed:



The minimum requirement to meet the intent of the Plan for the Future is the development of:

- A Strategic Community Plan;
- A Corporate Business Plan; and
- Annual Plan.

The key principle of the planning process is to provide both the future aspirations for the Local Government and a path to achieve them. Specific strategies address issues such as community safety or disability plans and place or local area plans. Strategic outcomes are supported by the identification and planning of all financial, human resource, asset and infrastructure requirements and income opportunities over the long term.

The framework does not intend to require a single methodology to be applied by Local Governments.

Adopting integrated strategic planning is potentially the most important performance improvement initiative available to Local Governments. Currently, more than two thirds of Local Governments in Western Australia do not have a strategic planning process that is linked to long term asset management and financial planning.

Strategic Community Plan

The **Strategic Community Plan** is the overarching document that sets out the vision, aspirations and objectives of the community in the district. It is required to cover a period of at least ten (10) financial years, and is to be reviewed at least once every four (4) years. It could be along the lines of the City's *Vincent Vision 2024* – it is to be a **10+ year plan** informed by community aspirations.

It will respond to three questions:

- Where are we now?
- Where do we want to be? and
- How do we get there?

The Strategic Community Plan is to prioritise community aspirations, giving consideration to:

- Social objectives;
- Economic objectives;
- Environmental objectives; and
- Factors such as changing demographics and land use.

Corporate Business Plan

The **Corporate Business Plan** could be along the lines of what is currently the City's Strategic Plan and key supporting Strategies and Plans. The Corporate Business Plan activates the Strategic Community Plan by responding to:

- Council's prioritisation of the community's short, medium and long-term aspirations;
- Existing operational plans, priorities and external factors impacting on resourcing; and
- The assessment and integration of services and business area plans.

The process of developing the Corporate Business Plan will include operations planning (Asset Management, Financial Management, and Workforce Plan) and annual reviews.

Workforce Plan

Workforce Planning has been defined as;

“A continuous process of shaping the workforce to ensure that it is capable of delivering organisational objectives now and in the future.” (Australian National Audit Office)

1. The Council is requested to have a current Workforce Plan;
2. The Workforce Plan identifies:
 - The current workforce profile and organisational structure;
 - Gaps between the current profile and the organisational requirements;
 - Identifies organisational activities to foster and develop workforce; and
 - The Workforce Plan should be budgeted for in the Corporate Business Plan and Long Term Financial Plan.

The City's Administration has already commenced preparation of its Workforce Plan and this will be finalised by 30 June 2013.

The Chief Executive Officer and Manager Human Resources will be attending the Department of Local Government workshops in early October 2012 as part of the process to progress the matter.

Annual Report

Effective from 2013/2014 onwards, the Local Government's Annual Report is to contain:

- An overview of the Strategic Community Plan and the Corporate Business Plan, (which together constitute the Plan for the Future) and
- Major initiatives to commence or continue in the next financial year.

The Annual Report must also contain:

- Any modification that was made to the Strategic Community Plan during the financial year; and
- Any significant modification that was made to the Corporate Business Plan during the financial year.

Facilitator

It is recommended that a professional facilitator be engaged to assist the administration and the Council Members during consideration of the draft Strategic Community Plan. It is envisaged that 1-2 half day sessions will be required.

CONSULTATION/ADVERTISING:

The Local Government Act requires the Plan for the Future to be the subject of consultation with the electors and ratepayers. Community engagement should involve at least 500 or at least 10% of residents, whichever is the fewer, and conducted by at least two (2) documented mechanisms.

Purpose of Community Engagement Plan

It is essential to ensure that the Council has a Strategic Community Plan which reflects the community's vision for the area. The City is committed to ensuring that the community are given every opportunity to provide comment and input into the new Strategic Community Plan 2012-2022.

The City's Community Engagement Plan has been prepared to provide a framework to manage and effectively deliver the community engagement required for the City's Strategic Community Plan.

Key Components the Community Engagement Plan

The Community Engagement Plan has been clearly details the following key elements:

- Project background and Objectives;
- Community Engagement Objectives;
- Key Stakeholders;
- Engagement Parameters;
- Timeline;
- Budgetary Considerations;
- Consultation Methodology;
- Communication Types; and
- Community Engagement Action Plan

It is envisaged that the information detailed in the document, as shown in Appendix 9.5.3 (Attachment 001), will ensure that the community consultation objectives of this project are successfully achieved.

Indicative Consultation Process

The following is an Indicative consultation process:

1. Draft City of Vincent Strategic Community Plan 2011-2016, as shown in Appendix 9.5.3 (001), be used as a basis of the draft document;
2. Chief Executive Officer, Directors and City Managers/key Officers to further review the draft document from October 2012 – November 2012;
3. Presentation to November Forum;
4. Council Members to provide feedback/comments on the draft document by 31 December 2012;
5. Workshop/Forum with Council Members and City Senior Officers be conducted in late January/early February 2013 to further consider and refine the draft document;
6. Report to Council in March 2011 to Adopt in Principle the Draft Plan for the Future 2012-2022;
7. Draft document to be advertised for a minimum period of six (6) weeks in March/April 2011 and community engagement to occur in accordance with the Community Engagement Plan;
8. The Council to consider submissions and adopt the Plan for the Future in May 2013; and
9. The draft document to be placed on the City's website and copies provided at the Administration Centre and in the City's Library and Local History Centre.

LEGAL/POLICY:

It is a legal requirement for each Local Government to have a Plan for the Future.

1. The Local Government Act (section 5.56) states as follows:

"Local Government Act 1995

5.56 Planning for the future

- (1) A Local Government is to plan for the future of the district.*
- (2) A Local Government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

The regulations require Local Government to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years) and state that:

"A plan for the future of a district is to set out the broad objectives of the Local Government for the period specified in the plan."

It requires each Local Government to prepare a Plan for the Future by 30 June 2013.

Planning for the future Strategic Community Plans:

1. A Local Government is to ensure that a Strategic Community Plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013;
2. A Strategic Community Plan for a district is to cover the period specified in the plan, which is to be at least ten (10) financial years;
3. A Strategic Community Plan for a district is to set out the vision, aspirations and objectives of the community in the district;
4. A Local Government is to review the current Strategic Community Plan for its district at least once every four (4) years; and
5. In making or reviewing a Strategic Community Plan, a Local Government is to have regard to –
 - a) The Capacity of its current resources and the anticipated capacity of its future resources;
 - b) Strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - c) Demographic trends.

Consultation is required with electors, ratepayers and residents. In this regard, the draft document will be advertised for community consultation and will be provided to all Community/Precinct Groups. Submissions and feedback from the community is to be considered and where appropriate, included into the Plan.

The Transitional Period 26 August 2011 – 30 June 2013

Plan for the Regulatory requirements.

A Local Government must have a plan for the future in operation between 26 August 2011 and 30 June 2013 (the transition period). This can be either an existing plan prepared under the former regulatory arrangements, or a new document that has been developed in light of the new regulatory context.

During the transition period, a Local Government is not required to review an existing plan for the future that was made under the former regulations. If it chooses to do so, it is not required to consult with ratepayers and electors – at the Ordinary Meeting of Council held on 14 June 2011, the Council resolved to update and amend its Plan, however, without Community Consultation (due to the recent consultation).

During the transition period, a Local Government, in order to comply with the requirement that it must have a plan for the future, may choose to make a new plan under the old arrangement. In this case, previous regulations 19(c) (5) and 19D regarding adoption by the Council and the giving of local public notice would continue to apply.

It is recommended that as the Council's Community Strategic Plan was last reviewed in mid 2011, it be used as a base document for the proposed review.

RISK MANAGEMENT IMPLICATIONS:

High: Failure to comply with legislative requirements will be a breach of the Local Government Act 1995.

STRATEGIC IMPLICATIONS:

This is in keeping with Key result Area 4.1 – *“Provide good strategic decision making, governance, leadership and professional management”*.

Progress reports on the Strategic Plan are reported to Council for each quarter as follows:

Period	Report to Council
1 January – 31 March	April
1 April – 30 June	July
1 July – 30 September	October
1 October – 31 December	February

The quarterly progress reports will continue to be provided and will also include quarterly reports on the Annual Plan (previously the Capital Works Program). The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the next five (5) years.

SUSTAINABILITY IMPLICATIONS:

The Council’s Plan for the Future is probably one of the most important documents for the City. It details the future direction of the City of Vincent and details how and when matters will be carried.

The new Plan will include Key Focus Areas that support sustainability including:

- The Natural and Built Environment;
 - Sustainable Urban Development;
 - Economic Prosperity, Vibrancy and Growth;
 - Community Wellbeing and Engagement;
 - Financial Sustainability;
 - Good Leadership, Governance and Management; and
 - Long Term Planning.
- It may also include Strategic alignment to State and Federal Government priorities.

FINANCIAL/BUDGET IMPLICATIONS:

The Budget 2012-2013 contains an amount of \$20,000 for the Review of the Plan for the Future. The following is an indicative budget.

Item	Costs
Deliberative Democracy Forum	\$17,000 *
Advertising	\$5,000
Postage	\$5,000
Special Edition of Newsletter	\$4,000
Facilitator	\$3,000
Printing of Final documents	\$2,000
Miscellaneous and catering	\$1,000
Total	\$37,000

**Amended at the Ordinary Meeting of Council held on 9 October 2012.

COMMENTS:

The City’s Chief Executive Officer and some Directors have attended the DLG Workshops and obtained clarity on a number of matters concerning the proposed changes.

The City’s Plan for the Future and Strategic Plan is considered to be of a high standard and meet the current and proposed legislative requirements.

The City of Vincent has a key leadership role to play in contributing to a high quality of life for the community through the provision of infrastructure, facilities, services and opportunities to be involved in the identification of local priorities.

The Council’s Plan will provide the direction for the Elected Council and the City’s administration for the future. It will also provide information to the electors and ratepayers on the broad direction the City will be taking in the future. Accordingly, it is appropriate that the process involve the community in early 2013, when the Community Engagement is carried out.

The Chief Executive Officer therefore recommends the Council approve of the Officer Recommendation.

9.5.4 Policy No. 3.9.3 – “Parking Permits” – Proposed Amendment

Ward:	Both	Date:	28 September 2012
Precinct:	All	File Ref:	ADM0023
Attachments:	001 – Amended Policy 3.9.3 Parking Permits		
Tabled Items:	Nil		
Reporting Officer:	J MacLean, Manager Ranger and Community Safety Services		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY to amend Policy No. 3.9.3 “Parking Permits”, as shown in Appendix 9.5.4; and**
2. **DOES NOT ADVERTISE the amended Policy No. 3.9.3, as the amendment relates to the Emergency Service Vehicles and does not affect the general community.**

COUNCIL DECISION ITEM 9.5.4

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Carey, Seconded Cr Wilcox

That the item be DEFERRED to the Ordinary Meeting of Council to be held on 23 October 2012, to clarify the use of the permits for Emergency Service Vehicles.

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

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

To obtain Council approval to amend Policy No.3.9.3 – “Parking Permits” to allow permits to be issued to Emergency response staff from Essential Services organisations, such as Western Power, Alinta Gas and Water Corporation to park in areas, without the need to adhere to time restrictions, or to pay the required parking fee.

BACKGROUND:

The City is an active participant in the Western Central Local Emergency Management Committee (WC LEMC), the City of Perth Local Emergency Management Committee (CoP LEMC) and the Central Metropolitan District Emergency Management Committee (CM DEMC). At a recent meeting of the CM DEMC, a request was received from Western Power and Water Corporation for the City of Vincent to give consideration to allowing essential emergency repair staff to park, without the need to comply with parking time restrictions and paid parking restrictions.

DETAILS:

At a recent Central Metropolitan District Emergency Management Committee (CM DEMC), the City of Vincent's Manager Ranger and Community Safety Services was approached by the Field Services Co-ordinator, Network Response Group at Western Power, a representative of the Alinta Gas Emergency Response Group and a representative of the Water Corporation Emergency Response Group. These organisations are members of the State Emergency Management Committee (SEMC) "Lifelines Group", which also includes, Main Roads WA, Department for Child Protection, Telstra and a number of other Agencies. The Lifelines Group member organisations have substantial infrastructure, which are critical components of the functionality of businesses and residents in the Metropolitan area and which, if faulty, requires immediate attention to rectify the problem.

The emergency response teams, from the three "lifeline agencies" have indicated that their essential Emergency Services personnel have experienced difficulties in finding appropriate parking facilities, while staff are engaged in emergency repair work and all report that their emergency response staff have received parking infringement notices in the past.

Rather than issuing short-term Permits, it was considered appropriate for the Council to formally adopt a Council Policy that clearly defines how emergencies, whereby critical Infrastructure sustains damage, are managed. The Policy has been amended to meet these requirements.

A number of other Agencies have indicated that they would like similar concessions, but this has the potential to create an unwanted and unwarranted precedent. It is suggested that, while there is no doubt that the other Lifeline Agencies have "Critical Infrastructure", for the most part, these agencies are less likely to need immediate access to a problem site, to undertake emergency repairs. In the case of WA Police, FESA Fire Services, St John's Ambulance and Main Roads WA, their personnel have an existing right to park in any major road, while engaged in emergency work.

Western Power, Alinta Gas and the Water Corporation are seeking assistance from Local Government, to allow them to utilise parking facilities, when engaged in emergency response work, without the need to comply with parking restrictions. It should be noted that the term "Emergency Response Staff" only refers to those people who are making repairs to major infrastructure, such as sub-stations, or Transformers, or Gas Hubs, or pressure Mains, or Main Pumping Stations, etc, which have broken down, creating an adverse impact on large numbers of properties, or creating potentially life-threatening consequences. Personnel who are making minor repairs to individual properties would not be included in this scheme. It is suggested that the permits would be used very occasionally and only when major infrastructure is involved.

If approved, the agencies will ensure that their staff do not abuse the parking conditions and, to that end, have developed a process to manage emergency response parking. It is also suggested that, unless specifically requested and approved, the above concession would not be valid in No Stopping areas, Clearways, footpaths, or where access was obstructed, etc.

It is considered impractical for each emergency response vehicle to carry a parking permit for every local government in the Metropolitan area, so it is suggested that the agencies themselves will issue Official Parking Permits to the limited number of emergency response vehicles. A copy of these permits is shown in the proposed Policy. The Lifeline Agencies are seeking approval from the various local governments for these permits to be accepted for use, within their boundaries. Each Permit will have a unique number and every Local Government will be provided with a dedicated telephone line, which can be contacted to confirm why a vehicle is parked and how long it is likely to be there.

In practice, if a vehicle is sighted with an Agency Permit on the dashboard, indicating that the driver is engaged in emergency repairs or treatment, Rangers would not normally issue an infringement notice, unless the vehicle is causing a serious obstruction, or is having an adverse impact on traffic. Even if an infringement notice was to be issued, if the Agency makes representation to the City, confirming the emergency work, it would usually be withdrawn.

As a result, the amendment to the Policy No. 3.9.3 by the Council will simply formalise the current procedure, but it will also provide an added benefit, by having a dedicated telephone number to confirm that the vehicle is engaged in essential repair work.

It is unlikely that there would be more than one or two vehicles engaged in emergency repair work or emergency treatment at any given time, so the potential impact on the availability of parking spaces is likely to be very minor.

CONSULTATION/ADVERTISING:

As this amendment relates to Emergency Response Staff it is recommended, there is no need to advertise the approval, as it does not affect residents, business proprietors or the general community.

LEGAL/POLICY:

There is no legal impediment to the adoption of the Policy.

RISK MANAGEMENT IMPLICATIONS:

LOW: Rangers would monitor the area as a matter of course, to ensure that measures are in place to minimise potential risks. However, there are no risks associated with the above Draft Policy being approved.

STRATEGIC IMPLICATIONS:

The above proposal aligns with the City's *Strategic Plan 2011 – 2016*, where the following Objectives state:

“4.1.5(a) Ensure stakeholders are effectively engaged on issues that may affect them.

1.1.5(c) Continue to investigate and implement Local Area Traffic Management in collaboration with the Local Area Traffic Management Advisory Group”

SUSTAINABILITY IMPLICATIONS:

Not applicable

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The City has been approached by a number of “Lifelines Agencies” seeking assistance, in allowing their “Emergency Response” personnel to park, without the need to comply with parking time restrictions and paid parking restrictions.

As a result, it was considered appropriate for a Council Policy to be amended, clearly outlining what the Council would construe as “acceptable”. The concession would only be available to a very few vehicles and only when there is a need to effect emergency repairs to major infrastructure, except where specifically allowed, the approval would not be valid in No Stopping areas, or Clearways, or on footpaths and would not permit a vehicle to obstruct other vehicle movements.

This sort of request is only applicable to a very few people and should not be seen as setting a precedent for other “emergency” work.

Approval of the Officer Recommendation is requested.

9.5.5 City of Vincent Elections – 2013

Ward:	Both Wards	Date:	28 September 2012
Precinct:	All Precincts	File Ref:	-
Attachments:	Nil		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

CORRECTED OFFICER RECOMMENDATION:

That the Council **RESOLVES BY AN ABSOLUTE MAJORITY** to:

1. **DECLARE** in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the October 2013 Ordinary Elections, together with any other elections or polls which may also be required;
2. **DECIDE**, in accordance with Section 4.61(2) of the Local Government Act 1995, the method of conducting the 2013 Elections be as a postal election; and
3. **LIST** for consideration an amount of ~~\$80,000~~ \$74,000 in the Draft Budget 2013/2014 for the 2013 Election.

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

COUNCIL DECISION ITEM 9.5.5

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

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

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval to appoint the Electoral Commissioner to be responsible for the 2013 Ordinary Election and for this to be as a postal election.

BACKGROUND:

The Western Australian Electoral Commission recently wrote to all local governments seeking the Council's intention regarding the conduct of the election. Members will be aware that the next Ordinary Local Government Elections will be held in October 2013.

The Council has a choice of election methods which is either by "postal election" or a "voting in-person election". The "postal election" method of casting votes is by posting or delivering them to an electoral officer on or before Election Day, and must be carried out by the Western Australian Electoral Commissioner. A "voting in-person" election is one where the principal method of casting votes is by voting in-person on Election Day but also allows for votes to be cast in-person before Election Day or posted or delivered in accordance with regulations. A "voting in-person" election can be carried out by the Chief Executive Officer of the local government as Returning Officer and their staff or another person appointed as Returning Officer or the Electoral Commissioner who appoints the Returning Officer and staff.

Local governments that use the voting in-person method of voting may not be representative of the whole community. Whilst voting in local government elections is not compulsory, the community may have an interest but not feel compelled to attend a polling place for the purpose of casting their vote.

Local governments should then look at ways in which to encourage the community to participate and one way is to use the postal method.

The elector participation rate at the 2011 biennial election for the City was **33.62%** for the North Ward. There was no election required for the South Ward as the candidates were elected unopposed. This result is very favourable when compared to the low participation rate achieved by an in-person election, which is usually around the **10%** rate.

Since the inception of the City in 1994, the Western Australian Electoral Commissioner has conducted all elections as postal elections except the extraordinary election of the Mount Hawthorn Ward in December 1997.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Council needs to approve by an absolute majority to;

1. declare in accordance with section 4.20(4) of the Local Government Act, 1995 the Electoral Commissioner to be responsible for the conduct of the October 2007 elections; and
2. decide, in accordance with section 4.61(2) of the Local Government Act, 1995 the method of conducting the election will be as a postal election.

RISK MANAGEMENT IMPLICATIONS:

HIGH: Failure to declare the Electoral Commissioner to be responsible for the conduct of the election will result in an "in-person" election being held. This will result in a very low elector turn-out.

STRATEGIC IMPLICATIONS:

The City has a philosophy of community consultation and encouraging its residents to participate in elections. Postal voting has a much higher participation rate than "in person" voting.

FINANCIAL/BUDGET IMPLICATIONS:

The precise cost to conduct the postal election has not been provided by the WA Electoral Commission at this stage. An indicative amount of \$66,000 has been provided and this will need to be included in the 2013/2014 Draft Budget.

The Electoral Commissioner has provided an estimate of \$66,000 (including GST) based on the following assumptions:

- 20,500 electors;
- Response rate of approximately 35%;
- Four (4) vacancies for councillors (2 in each ward); and
- The count being conducted at the City's Administration Centre.

Items not included in the estimate comprise:

- Non-statutory advertising (\$3,600) (i.e. 3 advertisements in community newspapers and promotional advertising);
- Miscellaneous, contingency and any legal expenses (other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns) \$3,400; and
- One local government staff member to work in the polling place on Election Day. \$600
- Catering \$400

An amount of \$8,000 should be included to cover the above excluded matters. The Council should list for consideration an amount of \$74,000 in the 2013/2014 Budget for the 2013 Election.

COMMENTS:

Local Government is required to encourage community participation and be more open and accountable for their actions. The City of Vincent has actively supported these requirements. From an election view point, the conduct of the previous ordinary elections by the postal vote method, has ensured that the highest consultation and participation rates possible would be achieved.

Having the local government election process managed by the Western Australian Electoral Commission, whose principle activity is to conduct elections, is most appropriate for the following reasons;

1. The election is conducted by professionally trained staff appointed for that sole purpose;
2. The election is overseen by an independent person with the experience and resources to perform the task;
3. The appointment of the Electoral Commission to manage Local Government Election removes any conflict of interest that may exist between Elected Members and the Chief Executive Officer as the Returning Officer and other local government officers appointed for the election.

Appointing the Western Australian Electoral Commission to manage the City's 2013 Election, would continue the strong commitment to consult with the community and achieve high voter participation rates, as established with previous elections. It is therefore recommended that the 2013 Ordinary Election for the City be conducted using the postal vote method.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

12.1 WALGA Nominations - Air Quality Coordinating Committee; Keep Australia Beautiful Council (WA); Landgate Customer Service Council

Ward:	-	Date:	28 September 2012
Precinct:	-	File Ref:	ORG0045
Attachments:	001 – WALGA Nomination Details		
Tabled Items:	Nil		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That:

1. _____ be nominated as WALGA Deputy Member - Air Quality Coordinating Committee (*Re-advertised*);
2. _____ be nominated as WALGA Metropolitan Member - Keep Australia Beautiful Council (WA) (Ministerial Approval - Panel of 3 required) (*Re-advertised*);
3. _____ be nominated as WALGA Metropolitan Deputy Member - Keep Australia Beautiful Council (WA) (Ministerial Approval - Panel of 3 required) (*Re-advertised*); and
4. _____ be nominated as WALGA Urban Member - Landgate Customer Service Council (Metro and Country Urban Local Governments).

DETAILS:

Please see Appendix 12.1 for further details.

NB:

CLAUSE 1: NOMINATIONS CLOSE BY COB THURSDAY 18 NOVEMBER 2012

CLAUSES 2-4: NOMINATIONS CLOSE BY COB THURSDAY 18 NOVEMBER 2012

COUNCIL DECISION ITEM 12.1

Debate ensued.

PROCEDURAL MOTION

Moved Cr Buckels, Seconded Cr McGrath

That the item be DEFERRED to the Ordinary Meeting of Council to be held on 23 October 2012, to allow Council Members further time to consider making a nomination.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 8.00pm **Moved Cr McGrath Seconded Cr Pintabona**

That the Council proceed “behind closed doors” to consider confidential item 14.1, as this matter contains information concerning legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

There were no members of the public present.

Executive Assistant (Minutes Secretary) – Jerilee Highfield, Journalists Lauren Stringer and David Bell departed the meeting.

PRESENT:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	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

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

14.1 CONFIDENTIAL ITEM: Nos. 37-39 (Lot 93) Money Street, Perth – State Administrative Tribunal Request to the Council to Reconsider its Position in Respect of the Appealed Conditions of Planning Approval DR 202 of 2012

Ward:	South	Date:	28 September 2012
Precinct:	Beaufort; P13	File Ref:	PRO2663; 5.2012.15.1; DR 202/2012
Attachments:	CONFIDENTIAL: Property Information Report and Development Application Plans CONFIDENTIAL: Applicants justification regarding condition 1.7 CONFIDENTIAL: Legal advice from Kott Gunning		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

COUNCIL DECISION ITEM 14.1

Moved Cr McGrath Seconded Cr Pintabona

That the Council;

- 1. ADVISES the State Administrative Tribunal (SAT) that it has reconsidered its position in respect of the appealed conditions of approval dated 8 May 2012, in respect to the lodging house at Nos. 37-39 (Lot 93) Money Street, Perth, as detailed in the Confidential Report; and**
- 2. APPROVES of the Recommended Reconsidered Position on Appealed Conditions in respect to the lodging house at Nos. 37-39 (Lot 93) Money Street, Perth, as detailed in the Confidential Report, subject to the following;**
 - 2.1. That clause Advice Note 1 be amended to read as follows:
“The applicant is to demonstrate compliance with relevant Building and Health requirements for the operation of the lodging house, including adequate provision of shower and toilet facilities”.**

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

DETAILS:

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

LEGAL:

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

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

"2.14 Confidential business

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

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

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

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

PROCEDURAL MOTION

At 8.10pm **Moved Cr Pintabona Seconded Cr Buckels**

That the Council resume an “open meeting”.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Topelberg on approved leave of absence and Cr Harley was an apology for the Meeting.)

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 Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	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

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 9 October 2012.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2012