



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

11 SEPTEMBER 2012

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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 11 September 2012, commencing at 6.04pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.04pm 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:

Nil.

(b) Members on Approved Leave of Absence:

Nil.

(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
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services (until 7.00pm)
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Jerilee Highfield	Executive Assistant (Minutes Secretary until 7.30pm)

Employee of the Month Recipient

Nil.

Media

Lauren Stringer	Journalist – <i>"The Guardian Express"</i> (until approximately 7.30pm)
David Bell	Journalist – <i>"The Perth Voice"</i> (from 7.02pm until approximately 7.30pm)

Approximately 15 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. Caroline But of 4 Cavendish Street, Highgate – Item 5.1 – Receiving of Petitions Stated the following:
 - She spoke on behalf of her mother who owns 163 Brisbane Street, Perth. She outlined a strong objection to the retrospective bed and breakfast proposal of 165 Brisbane Street, Perth.
 - Firstly 165 Brisbane Street, Perth has been operating the bed and breakfast business illegally without a permit for over five (5). Clearly they should have known that their business required the Council's approval, however instead they have chosen to operate an unregistered bed and breakfast operation for over five (5) years without the Council's knowledge.
 - They have made it extremely difficult for her mother to lease her property out to any decent tenants, as the guests who use the bed and breakfast constantly disrupt the tenant's privacy. Their former tenants have had many complaints to her regarding rubbish been thrown into the tenants backyard, abuse yelling, wild parties and on several occasions jumping on the back fence. There is still no security control on the premises of 165 Brisbane Street, Perth to ensure that things do not and get out of hand with these holiday goers.
 - Secondly there has not been anything outlined as to what qualifications the owners of 165 Brisbane Street, Perth to operate a commercial kitchen and whether they have had any food or safety training.
 - Thirdly the gay bed and breakfast plan proposal discriminates against old, heterosexual and disabled people as there are no disabled facilities available at the location and such business should be made available to old people, Gay, Lesbian, heterosexual and disabled.
 - Finally, in the past the guests of 165 Brisbane Street, Perth have used the public areas in front of her mother's property for the guest parking. This has caused major disturbances to her mother's tenants, in particular when the guests arrived and leave within the early hours of the morning and late night with the headlines beaming into the tenants bedroom.
 - Having outlined these issues we hope that the Council take into consideration, the strong objection to the 165 Brisbane Street, Perth retrospective bed and breakfast proposal.
2. Julie Levani of on behalf of the owners at 5 Scott Street, Leederville – Item 9.1.4 Stated the following:
 - They have worked very closely with the City's Planning Officers and the architect in particular has had some very good feedback and input from the design committee to ensure the design is compliant.
 - The development is a mix of one (1) and two (2) bedroom units and three (3) bedroom homes to ensure a good cross section of Community needs are met.
 - The open space and greening of the development has been addressed by incorporating a rooftop garden, providing a very excellent and interesting amenity for the residents in the units. There has been some considerable consultation with neighbours and especially those immediately adjoining 5 Scott Street, Leederville and their requests and concerns have been taken on board and incorporated and addressed where possible.
 - For example the two (2) front homes have been designed to complement the streetscape featuring brick work and front veranda providing traditional elements and low fencing to encourage interaction with other residents, privacy has also been taken on board with a careful placing of windows and screening to ensure that there is a restricted side lines preventing overlooking into neighbours properties.
 - She thanked the Mayor and Councillors for their input in considering the design solution and felt that it is a good outcome for the Community and hoped that the Council will support.

3. Ade VanHatch of 256 Charles Street, North Perth – Item 9.1.3 Stated the following:
- Raised a couple of points and questions for the Council. Point 1 Item 6.5 on page 20 of the Minutes regarding with visual privacy, he noticed that some of the units had been promised to have screening, but it was noticed from the architectural drawings and wanted to check that the units on the second and third storey's would have frosted glass or screening on the balconies. He resides in the house that is on the Southern boundary which used to be one property and is a little cut out of the block and an L shape that would go around his house, screening would be very helpful.
 - Point 2 is on page 25 in the summary on page 30. He believed the top floor is required to be setback 9.5 metres, the applicant has proposed for it to be setback 7.5 metres from the Southern boundary on that top floor which is the second storey/floor, that is a two (2) metre discrepancy and it does say in the Technical Officers comment that there will be no undue impact he believed this to be an understatement, two (2) metres is a lot when talking setback, he would like to see this comply with the 9.5 metre Policy. He also stated that it complies with the overshadowing requirement but cannot see any evidence for this and would like feedback on this, if there can be some evidence as it is a R60 zoned block, but the development will be an R80 development, so would like to see how the overshadowing complies with an R80 development and not an R60. He agreed with the notes where the Design Advisory Committee had requested for a demonstration of this overshadowing.
 - Point 3 is on page 31 and related to dividing fences, he understood this was a Civil Matter but just wanted to bring it up as he would like to see the fences of 3.5 metre and he could not tell if this had been approved.

Presiding Member Mayor Hon. Alannah MacTiernan asked Mr. Van Hatch if he had a handwritten copy of his notes. The Director Planning Services advised that she had noted the issues raised by Mr. Van Hatch.

4. Eric Birighitti of 3 Lawley Street, West Perth – Item 9.2.1 Stated the following:
- He is the Junior President of Perth Soccer Club. He raised two (2) main issues regarding the removal or relocation of a cricket pitch to accommodate the segregating area of the dog exercise area. He asked that the Council work with the Perth Soccer Club before acting on such a major decision.
 - A couple of month's back they met at the Forrest Park clubrooms and held a Community meeting regarding the dog segregation area. It was not minuted as it was a general open meeting to the public, in this meeting there was a strong feeling from the majority of the public that they would like Forrest park to remain as a fantastic open area as it stands today.
 - At that meeting Perth Soccer Club were asked to forego some of its storage area to create a toy library, to which since then they have gone out and had quotes brought back and we have come back to parks and reserves and the City of Vincent with a proposal of redoing a toy library at Forest Park. Removing or relocating the cricket pitch, the last man standing competition which is a world renown competition and the utilisation of both pitches are imperative, the moving of the pitch would actually be putting it on to one of the main soccer pitches which would then reduce the availability of the space they have to play games on a weekend.
 - Next year will make the Perth Soccer Club a part of the City of Vincent community for sixty five (65) years. They have had to remain with their junior numbers at a fairly consistent level and have never been able to increase numbers due to the usage and amount of allocated space they have at Forest Park. They would like to be able to join other club such as Cockburn, Forrestfield and Mosman Park and be able to offer equal footballing to disabled kids and making the junior side available to the girls side of soccer not just the boys.
 - So with all these things in mind he hoped that the Council would take a little longer to deliberate these changes and to work with the Perth Soccer Club in assisting and making decisions.

5. Guido Giorgi of Newcastle Street, West Perth – Item 9.2.1 Stated the following:
- He is a member of the Perth Soccer club and was the President for a number of years, the previous speaker Mr. Eric Birighitti took over two (2) years ago. He was involved in the lease negotiations that took place and the proposal in essence will create a reduction in the ground area available to the Soccer Club.
 - The hedge will require a larger buffer to the playing area by having that physical impediment and secondly if the cricket pitch is required to be moved anywhere onto the soccer area then by default the club will lose area by virtue of the cricket pitch as it will be unsafe to play on the pitch itself.
 - The club has spent in the vicinity of a \$100,000 or more and it was the understanding that a new lease would be entered into around 2010 and they would have the ground available to them in the State as till 2020 and even though the lease does not implicitly give them the grounds as they know it is a seasonal hire arrangement, it was made very clear to them that they would have the first option on a yearly basis to renew that seasonal hire documentation. On this basis it was his understanding that the ground would remain the current format, therefore the proposal in his mind contravenes that agreement and that understanding they had with the City of Vincent, on that basis he asked that the Council reconsider the proposal in light of the agreement and the money that has been spent by the club.
 - They are providing what he thinks is a Community service as he would like to increase the number of children to play and any reduction of the floor area will obviously impede on this desire.
6. Deanna Homsany of 7 Brady Street, Mount Hawthorn – Item 9.2.1 Stated the following:
- She is on the Junior Committee for the Perth Soccer Club and advised the Council that the Perth Soccer Club had been approached by Football West, which is the governing body for Soccer in Western Australia.
 - They have been approached on a number of occasions regarding joining an equal football competition that is run for disabled children, they have recognised that there is a need for a inner City Club to join the competition and it is something that the Football Club have become passionate about and are looking into 2013-2014 being able to provide children with disabilities within the City of Vincent the opportunity to play soccer.
 - In order for the Club to provide this they need to renegotiate the usage of Forrest park which they would like to with the City of Vincent and the Community surrounding. The children in the 6,7,8 age groups participate but they tend to stop after this as the other children become faster, stronger and it makes it difficult for them to play. The Club can provide children with disabilities the opportunity to play and would really like to take this role on.

There being no further speakers, Public Question Time closed at approx. 6.23pm.

(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 17 September 2012 to 20 September 2012 (inclusive), due to work commitments.

Moved Cr Maier Seconded Cr Pintabona

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

CARRIED UNANIMOUSLY (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 Petition received from Ms Caroline But of Highgate, on behalf of tenants and ratepayers of the City of Vincent along with 41 signatures objecting to the retrospective application for a Bed and Breakfast proposal for No. 165 Brisbane Street, Perth.

The Chief Executive Officer recommended that this petition be received and referred to the Director Planning Services for consideration and further report.

Moved Cr Pintabona Seconded Cr Maier

That the petition be received as recommended.

CARRIED UNANIMOUSLY (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Ordinary Meeting of Council held on 28 August 2012

Moved Cr Maier Seconded Cr Harley

That the Minutes of the Ordinary Meeting of Council held 28 August 2012 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

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

7.1 Cash for Cans

I am pleased to report that all six (6) primary schools in the City of Vincent have signed on to this project and have responded positively. It is a positive move and I urge Councillors, if they have the opportunity, to take a look at the catalyst programme that was on the ABC the other week, which dealt with the CSIRO report on the poisoning of our Oceans and the role of plastic and their findings showed the oceans around South Australia where the one bright spot that contributed to their Container Deposit Legislation.

7.2 Deferral of Item 9.1.5

There has been a request for deferral of Item 9.1.5 on tonight's Agenda, relating to No. 116 Angove Street, North – Proposed Change of Use from Single House to Office.

7.3 Withdrawal of Item 9.5.3

The Chief Executive Officer has withdrawn Item 9.5.3 relating to nib Stadium – Approval of Reserve Funds and Progress Report No. 23 as he is seeking further clarification from VenuesWest concerning the proposed Capital Works.

7.4 Urgent Business

I have also approved Item 13.1 which relates to an application from BGC Constructing requesting to use a portion of Loton Park as a "steel lay down area" for a period of one (1) month subject to a rather attractive fee and this will be considered later tonight.

7.5 Mobile Muster – Certificate of Recognition

I am pleased to say that the City once again took part in this year's MobileMuster, as part of the Australian Mobile Telecommunication Association (AMTA) and between July 2011 and June 2012, the City collected 19kgs of mobile phones, batteries and accessories for recycling. Overall the muster has gathered about 117 tonnes of mobile phone components, which has met around 15,000kgs of batteries, which have been diverted from landfill. The City has been given a little Certificate of Recognition.

Thank you to all who have been involved in this project.

The Mayor Hon. Alannah MacTiernan requested a more detailed report concerning Mobile Muster.

8. DECLARATIONS OF INTERESTS

- 8.1 Mayor Hon. Alannah MacTiernan declared an Proximity interest in Item 9.2.1 – Further Report - Forrest Park, Mount Lawley - Proposed Improvement Options (RES0003). The extent of her interest being that she owns property and resides in Harold Street, Mount Lawley – opposite Forrest Park. 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.
- 8.2 Cr Joshua Topelberg declared an Impartiality Interest in Item 9.1.4 - No. 5 (Lots 13 and 14) Scott Street, Leederville - Proposed Demolition of Existing Single House and Construction of Two (2) Grouped Dwellings and Two (2), Two Storey Buildings Comprising Four (4) Single Bedroom Multiple Dwellings, Two (2) Multiple Dwellings and Associated Car Parking. The extent of his interest being that the applicant is an occasional client of his business and he stated that he has not had any communication relating to this development other than the normal Council Member forum. He declared that he would consider the matter on its merits and vote accordingly.
- 8.3 Cr Joshua Topelberg declared an Impartiality Interest in Item 9.1.5 - No. 116 (Lots 408; D/P 39280) Angove Street, North Perth - Proposed Change of Use from Single House to Office. The extent of his interest being that the property owner is a personal acquaintance. He has met the owner briefly last month and the planning approval process and he stated that he has not had any other discussions on this matter. He declared that he would consider the matter on its merits and vote accordingly.
- 8.4 Cr John Carey declared an Impartiality Interest in Item 14.1 – Confidential Report: Beaufort Street Enhancement Working Group – Approval of Stage 2 Enhancement Works and Progress Report No. 5. The extent of his interest being that he is a member of the Beaufort Street Executive and also the Chair of the Beaufort Street Festival. He declared that he would consider the matter on its merits and vote accordingly.
- 8.5 Chief Executive Officer John Giorgi declared an Impartiality interest in Item 9.2.1 Further Report - Forrest Park, Mount Lawley - Proposed Improvement Options (RES0003). The extent of his interest being that he is an accredited Soccer Referee with Football West and Football Federation Australia. At times he maybe allocated to referee at Forrest Park and has done so on several occasions this year. He disclosed that he has not had any involvement whatsoever in this Agenda Item other than his normal vetting of the report, during the Agenda compilation.

The Presiding Member Mayor Hon. Alannah MacTiernan departed the Chamber at 6.28pm – to allow the Council to consider her request to participate in the debate and vote on Item 9.2.1. Deputy Mayor Cr Warren McGrath assumed the chair.

PROCEDURAL MOTION:

Moved Cr Maier, Seconded Cr Harley

That Mayor Hon. Alannah MacTiernan request to participate in the debate and vote on item 9.2.1 be approved.

CARRIED UNANIMOUSLY (8-0)

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

Mayor Hon. Alannah MacTiernan returned to the Chamber at 6.30pm and assumed the Chair.

The Chief Executive Officer informed Mayor Hon. Alannah MacTiernan that her request had been approved, with Deputy Mayor Cr Warren McGrath presiding in the Item.

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 9.1.4, 9.1.3 & 9.2.1

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

Item 14.2

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

Item 9.2.1

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	9.2.2
Cr Topelberg	9.4.1
Cr Buckels	Nil
Cr McGrath	Nil
Cr Wilcox	Nil
Cr Pintabona	Nil
Cr Harley	Nil
Cr Maier	Nil
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, 9.1.6, 9.2.3, 9.3.1, 9.3.2, 9.4.2., 9.5.1, 9.5.2 & 9.5.4

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

Item 14.1 & 14.2

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, 9.1.6, 9.2.3, 9.3.1, 9.3.2, 9.4.2., 9.5.1, 9.5.2 & 9.5.4

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

Items 9.1.4, 9.1.3 & 9.2.1

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

Items 9.2.2 & 9.4.1

(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 McGrath Seconded Cr Maier

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

Items 9.1.1, 9.1.2, 9.1.6, 9.2.3, 9.3.1, 9.3.2, 9.4.2., 9.5.1, 9.5.2 & 9.5.4

CARRIED UNANIMOUSLY (9-0)

9.5.3 nib Stadium, No. 310 Pier Street, Perth – Approval of Reserve Funds and Progress Report No. 23

ITEM WITHDRAWN BY THE CHIEF EXECUTIVE OFFICER AS HE IS SEEKING FURTHER CLARIFICATION FROM VENUESWEST CONCERNING THE PROPOSED CAPITAL WORKS.

9.1.1 Further Report: No. 46 (Lot 100; D/P 1985) Money Street, Perth - Proposed Change of Use from Single House to Single House and Short Term Accommodation (Unlisted Use)

Ward:	South	Date:	31 August 2012
Precinct:	Beaufort, P13	File Ref:	PRO1893; 5.2012.249.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items	Applicant submissions.		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

FURTHER 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 the owner, J M McLeod for Proposed Change of Use from Single House to Single House and Short Term Accommodation (Unlisted Use) at No. 46 (Lot 2; D/P 1985) Money Street, Perth, and as shown plans stamp dated 7 June 2012 and 18 June 2012, subject to the following conditions:

1. the proposed short term accommodation shall comply with the following, the short term accommodation:
 - 1.1 shall accommodate a maximum of six (6) persons at any one time in addition to the residents of the single house; and
 - 1.2 residents may stay at the subject short term accommodation for a continuous period of less than six (6) months within any twelve (12) month period; and
 - 1.3 any four of the five bedrooms on the second floor may be used at any one time for short-term accommodation.
2. any new street/front wall, fence and gate within the Money Street setback area, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences; and
3. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Money Street; and
4. no street verge trees shall be removed. The street verge trees are to be retained and protected from any damage including unauthorised pruning; and
5. all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and
6. **Building Occupancy Permit**
An Occupancy Permit is required to be submitted to and approved by the City's Building Services prior to the first occupation of the Short Term Accommodation; and

7. Within twenty-eight (28) days of the issue date of the approval, the applicant shall submit to the satisfaction of the City a Management Plan which shall include, but not be limited to, the following issues:
- 7.1 control of noise and other disturbances;
 - 7.2 complaints management procedures, which is to include the provision of the telephone number of the accommodation owner and operator to adjoining neighbours;
 - 7.3 security of guests, residents and visitors;
 - 7.4 the location, type and number of bed/bunks provided in each sleeping apartment; and
 - 7.5 control of anti-social behaviour and the potential conflict between short term residents and long term residents of the area. A Code of Conduct shall be prepared detailing the expected behaviour of guests/residents in order to minimise impact on adjoining residents;

Advice to Applicant

Residents are to be made aware of the "House Rules" and Code of Conduct and they must be displayed in a prominent position within the premises at all times;

8. Within twenty-eight (28) days of the issue date of this approval, the applicant shall submit to the City a detailed Car Parking Management Plan which shall include a commitment to advising occupiers of the premises, verbally and in writing, of the negative impact that inappropriate car parking can have on long term residents and the management of the two car parking bays provided for the short-term accommodation. Details are to include any relevant car parking restrictions applicable to the area in relation to parking vehicles on surrounding properties and within the streets, and instructions that parking of vehicles on the verge is not permitted; and
9. 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 McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

ADDITIONAL INFORMATION

A late submission dated 10 September 2012 was received in respect of the above item as follows:

"I apologise for this late submission, but am unable to attend meeting tomorrow night. I had initially sent back my form saying I was neither for nor against the plan, but was concerned by parking. However, I am now AGAINST the proposal.

Over the weekend, I have spoken to occupiers at 34-44 Money Street (I own one of the townhouses) and the consensus is that it could be detrimental to the area. It is a unique and heritage tree lined street. We already have a backpackers accommodation across the road, which invites some anti social problems, with parking overnight of campervans and litter.

The area is more than adequately supplied for short term stayers, who generally have no regard for the area and residents. Arriving/departing at unsocial hours, parking, taxis, general excessive overpopulating of a residential area.

I note The Voice had a large article about Greedy Landlords & the Sunday Times quoted Alannah MacTierman remarking on overcrowding of short term residences, with up to 10 in a room, mainly overseas students, migrants & temporary visa holders.

I, myself live..... in East Perth & last November one of the apartments became vacant, then I saw 8 mattresses brought in, then so many different people coming in & out. Cars outside at all hours with engines running. Lots & lots of problems. A number of us complained to our Strata company as we did not know what else to do, or that it was against the law. Now we know, and I know short term accommodation can bring problems for a quiet residential street."

FURTHER REPORT:

The Council at its Ordinary Meeting held on 28 August 2012, resolved as follows:

"That the Item be DEFERRED at the request of the applicant."

The applicant submitted additional information and the Officer's response is as follows:

Number of bedrooms

Applicant: *"The application is now in respect of 4 bedrooms and not 5."*

Officer response: Noted. The car parking requirement is re-assessed accordingly.

Condition 1.3 – Limitation of Use to 5 Years

Applicant: *"Time limited approvals are generally not consistent with the nature of a planning approval, which runs with the land and should only be imposed in special or unusual circumstances."*

After 5 years if no planning application is submitted the use will revert back residential which will not be consistent with the Beaufort Precinct which encourages diversification of uses in this area.

A requirement to reapply after 5 years would be an unnecessary burden, particularly given the small scale of the development.

Officer response: Five year approvals have been imposed for Lodging Houses by the Council. Given this application is for short-term accommodation however, which is of a lesser intensity and risk to the amenity of surrounding properties as the owners will be living on site, it is agreed that this condition is not necessary.

Condition 10 – Car parking- cash-in-lieu

The reduction in bedrooms from 5 to 4 reduces the car parking requirement once adjusted to 2.312. On site there are two car bays behind the dwelling that comply in size but only one car bay complies with Australian Standards in regard to turning. The second car bay would require the car to be driven either into or out of the property in reverse. The Applicant has proposed in their management plan to manage this by reversing the vehicle for guests.

Following a site inspection, it is considered the proposal is a manageable outcome given that the guests will need to be let into the property on arrival providing the opportunity for the owners to reverse the vehicle into the second bay. Given this, it is recommended to the Council that the second bay be approved as a non-conforming restricted bay subject to the Management Plan.

Condition 5 – Signage

Applicant: *“Signage should not require a separate development application because it is controlled by the Sign Licence by-laws.”*

Officer response: This is a standard condition which the City applies for all commercial/mixed-use developments. Signage is controlled by Policy No. 3.5.2 relating to Signs and Advertising. If signage does not comply with this policy it requires planning approval. Therefore the condition is maintained.

Condition 11 – Building, Health, Engineering and Park Services conditions

Applicant: *“We do not know what ‘Building, Health, Engineering and Park Services conditions and requirements must be complied with ‘to the satisfaction of the CEO but clearly they are not planning matters and should be dealt with under other approval processes. Legal requirements of this kind that impact on citizen’s property need to be certain, for there to be compliance.”*

Officer response: This is a standard condition which the City applies to all development approvals. This is to ensure that an applicant is made aware that conditions relating to Building, Health, Engineering and Park Services may be relevant and required to be complied with.

Car Parking

As outlined above, the applicant is proposing two car bays on site for the short term accommodation and therefore the car parking calculation is as follows:

Car Parking	
Car parking requirement (nearest whole number)	= 4 car bays
Short Term Accommodation – 1 space per bedroom or 1 space per 3 beds provided, whichever is greater 4 bedrooms proposed= 4 car bays 6 beds proposed= 2 car bays Car bays required= 4 car bays	
Total car bays required = 4 car bays	
Apply the adjustment factors.	(0.578)
<ul style="list-style-type: none"> • 0.85 (the proposed development is within 400 metres of a bus stop/station) • 0.85 (the proposed development is within 800 metres of a rail station) • 0.8 (the proposed development contains a mix uses, where at least 45 percent of the gross floor area is residential) 	= 2.312 car bays
Minus the car parking provided on-site	2 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant Shortfall	0.312 car bays

The City's Policy No. 3.7.1 relating to Parking and Access specifies that there is no cash-in-lieu payment where the shortfall is less than 0.5 car bay.

COMMENTS:

The Council is requested to re-consider the conditions of approval on the basis of the additional information submitted by the applicant and associated Officer response.

The Minutes of Item 9.1.2 from the Ordinary Meeting of Council held on 28 August 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.

9.1.2 No. 263 (Lot 3 ; D/P 1925) Oxford Street, Leederville – Proposed Demolition of Existing Single House and Construction of a Two-Storey Mixed Use Development, comprising One (1) Office and One (1) Multiple Dwelling

Ward:	North	Date:	31 August 2012
Precinct:	Leederville, P03	File Ref:	PRO4884; 5.2012.171.1
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		

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 the owners, P and J Barbouttis for Proposed Demolition of Existing Single House and Construction of a Two-Storey Mixed-Use Development, Comprising One (1) Office and One (1) Multiple Dwelling at No. 263 (Lot 3; D/P 1925) Oxford Street, Leederville, and as shown on plans date stamped 2 May 2012, 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 Oxford Street; and
2. First obtaining the consent of the owners of No. 265 and Nos. 257-261 Oxford Street, Leederville for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 265 and Nos. 257-261 Oxford Street in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork; and
3. Doors, windows and adjacent floor areas facing Oxford Street at ground level shall maintain active and interactive relationships with this street; and
4. The maximum gross floor area of the office shall be limited to 94 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; and
5. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site; and
6. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning; and
7. **Car Parking and Accessways**
 - 7.1 The on-site car parking area for the non-residential component shall be available for the occupiers of the residential component and visitors to the residential units outside normal business hours; and

- 7.2 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; and
- 7.3 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;
- 7.4 The car park shall be used only by residents, employees, tenants, and visitors directly associated with the development; and
- 7.5 A minimum of one (1) car parking bay shall be allocated for the office;

8. **Signage**

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;

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

9.1 **Construction Management Plan**

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

9.2 **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:

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

9.2.2 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units as at the time of assessment, the on-site car parking was in accordance with the requirements of the Residential Design Codes and the City's Policy No. 3.7.1 relating to Parking and Access.

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

9.3 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 to the satisfaction of the City's Director Technical Services.

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:

- 5.3.1 the location and type of existing and proposed trees and plants;
- 5.3.2 all vegetation including lawns;
- 5.3.3 areas to be irrigated or reticulated;
- 5.3.4 proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 5.3.5 separate soft and hard landscaping plans (indicating details of plant species and materials to be used);
- 5.3.6 dense landscaping is to be provided along the perimeter of the garden on Level 2 along the western boundary; and
- 5.3.7 dense landscaping including mature trees shall be provided along the northern boundary.

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);

9.4 Design features

Revised plans shall be submitted to and approved by the City, detailing two additional design features to the northern elevation, to ameliorate the bulk and mass of the building;

9.5 Schedule of External Finishes

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

9.6 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the City for approval. The recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development. The applicant/owners shall submit a further report from an Acoustic Consultant following construction of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;

9.7 Refuse and Recycling Management Plan

Bin numbers, collection and stores shall meet with the City's minimum service provision;

9.8 Fencing

Any new street/front wall, fence and gate within the Oxford Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;

9.9 Awnings

An awning is to be provided over the Oxford Street footpath being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 500 millimetre from the kerb line of Oxford Street where it does not impact on any verge tree;

9.10 Rear Balcony

The timber louvres to the rear balcony shall comply with the privacy requirements of the Residential Design Codes 2010;

9.11 Dividing wall

The dividing wall between the Commercial and Residential garages shall be adjusted to allow provision of compliant disabled parking for the commercial unit;

9.12 Right of Way

No development shall be undertaken within one (1) metre of the Right of Way boundary, to allow future Right of Way widening. The one (1) metre development setback area shall be bituminized to match into the grades and levels of the existing Right of Way.

A bond for the sum of \$9,600 for the upgrade of the Right of Way in accordance with the City's specifications shall be lodged.

The City's Technical Services Directorate shall be notified at least twenty four (24) hours prior to commencement of any works in the Right of Way;

9.13 Finished Floor Levels

Finished Floor levels shall match into the existing pavement and Right of Way levels and grades. Revised drawings showing floor levels, pavement and Right of Way levels shall be submitted for approval prior to application for a Building Permit;

9.14 Car Parking Bays

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; and

9.15 Road and Verge Security

A Road and Verge security bond for the sum of \$2,500 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Director Technical Services. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

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

10.1 **Residential Car Bays**

One (1) car bay shall be provided for the residents. The one car parking space provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the development;

10.2 **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

10.3 **Clothes Drying Facility**

Each multiple dwelling shall be provided with a screened outdoor area for clothes drying; and

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

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 McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

Landowner:	PS & J Barbouttis
Applicant:	PS & J Barbouttis
Zoning:	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Office, Multiple Dwelling
Use Classification:	"SA", "P"
Lot Area:	301 square metres
Access to Right of Way	Western side, 3 metres wide, unsealed, private owned

PURPOSE OF REPORT:

The matter is reported to Council given the proposal was approved by Council at its Ordinary Meeting held on 23 February 2012.

BACKGROUND:

Date	Comment
23 February 2010	The Council at its Ordinary Meeting held on 23 February 2010 conditionally approved demolition of existing single house and construction of two-storey mixed use development, comprising one office and one multiple dwelling.
15 December 2011	A planning application was submitted to the City to re-consider Condition (xix) relating to underground power of the planning approval issued on 23 February 2010. The application was withdrawn as the planning approval issued on 23 February 2010 expired on 23 February 2012.

DETAILS:

The proposal involves the demolition of an existing single house and construction of a two storey mixed use development, comprising one office and one multiple dwelling. The plans are the same as per development approval issued by Council on 23 February 2010.

The applicant was unable to construct the building within two years from the date of approval, 23 February 2010, due to the issue of underground power. Further discussions with Western Power confirmed that there was no requirement for undergrounding the power. Given the planning approval expired on 23 February 2012, the applicant was required to submit a new planning application.

The previous application approved by Council was assessed under the old R-Codes; this application is assessed under the new R-Codes. With the new R-Codes, the height will be compliant; however, the open space and the overshadowing are non-compliant.

ASSESSMENT:

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

Issue/Design Element:	Plot Ratio
Requirement:	Residential Design Codes Table 1 Plot Ratio - 0.7 (211m ²)
Applicants Proposal:	(0.9 or 273m ²)
Performance Criteria:	<i>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.</i>
Applicant's Justification Summary:	No specific justification provided by the applicant
Officer technical comment:	The proposed development is considered to comply with the performance criteria in this instance as: <ul style="list-style-type: none"> • The proposed building/development is consistent with the current and desired built form of the locality, as the site is zoned Residential R60 and located along Oxford Street, an active corridor between the town centres of Mount Hawthorn and Leederville. • The proposal complies with the height acceptable to the area. • The City's Draft Local Planning Strategy and the Western Australia Planning Commission Draft Central Metropolitan Perth Sub-regional Strategy (August 2010) identifies Oxford Street as an urban corridor which provides for high-density development. This development is in line with this vision. • A plot ratio variation of 0.88 was supported for another development along Oxford Street and it is considered that a plot ratio of 0.9 will not have any undue impact on the surrounding area.

Issue/Design Element:	Front Setback
Requirement:	Residential Design Elements SADC 5 Ground Floor = 2.3 metres First Floor Balcony= 3.3 metres Building= 4.3 metres

Issue/Design Element:	Front Setback
Applicants Proposal:	<p>Ground Floor = Nil</p> <p>First Floor</p> <p>Balcony= Nil to 0.4 metre</p> <p>Building= 3.2 metres</p>
Performance Criteria:	<p>Residential Design Elements SPC 5</p> <p>Development is to be appropriately located on site to:</p> <ul style="list-style-type: none"> • Maintain streetscape character; • Ensure the amenity of neighbouring properties is maintained; • Allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • Facilitate solar access for the development site and adjoining properties; • Protect significant vegetation; and • Facilitate efficient use of the site. <p>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>
Applicant's Justification Summary:	<i>No specific justification provided by the applicant</i>
Officer technical comment:	<p>As outlined above, the proposal is considered to be in line with the City's Draft Local Planning Strategy and the Western Australia Planning Commission Draft Central Metropolitan Perth Sub-regional Strategy (August 2010), where it is expected that development will consist of a hard urban edge to Oxford Street. Moreover, the adjoining existing development (south) has a nil setback which this development is consistent with.</p>

Issue/Design Element:	Building Setbacks
Requirement:	<p>Ground Floor</p> <p>North = 1.5 metres</p> <p>South = 1.5 metres</p> <p>First Floor</p> <p>North = 3 metres</p> <p>South= 2.8 metres</p>
Applicants Proposal:	<p>Ground Floor</p> <p>North and South = Nil</p> <p>First Floor</p> <p>North and South= Nil</p>

Issue/Design Element:	Building Setbacks
Performance Criteria:	<p>Residential Design Codes Clause 6.3.1 P4 <u>Clause 7.1.4 P4.1 and P4.2</u></p> <p>Buildings setback from boundaries other than street boundaries so as to:</p> <ul style="list-style-type: none"> • provide adequate direct sun and ventilation to the building; • ensure adequate direct sun and ventilation being available to adjoining properties; • provide adequate direct sun to the building and appurtenant open spaces; • assist with protection of access to direct sun for adjoining properties; • assist in ameliorating the impacts of building bulk on adjoining properties; and • assist in protecting privacy between adjoining properties. <p><u>Buildings setback from boundaries or adjacent buildings so as to:</u></p> <ul style="list-style-type: none"> <u>• ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;</u> <u>• moderate the visual impact of building bulk on a neighbouring property;</u> <u>• ensure access to daylight and direct sun for adjoining properties; and</u> <u>• assist with protection of privacy between adjoining properties.</u> <p><u>In mixed use development, in addition to the above:</u></p> <p><u>Side boundary setbacks to a retail/commercial component of a development is in accordance with the street context, subject to relevant local planning scheme provisions.</u></p> <ul style="list-style-type: none"> <u>• Retail/commercial development adjoining residential is designed to minimise the potential impacts between the two uses.</u>
Applicant's Justification Summary:	<i>No specific justification provided by the applicant</i>
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The building on the adjoining southern property is located on the boundary and therefore there will be no impact except the overshadowing of the balconies as outlined below. • There will be no overlooking or overshadowing of the adjoining northern property as a result of this proposal. No objection was received from the adjoining northern neighbour.

Issue/Design Element:	Boundary Wall
Requirement:	<p>Residential Design Codes Clause 6.3.2 A2 7.1.4 A4.4 Walls not higher than 3.5 metres with an average of 3 metres for two thirds the length of the balance of the boundary behind the front setback, to one side boundary only. <u>A wall built to one side boundary has a maximum height and average height as set out in table 4 and a maximum length of two-thirds the length of the boundary.</u></p>
Applicants Proposal:	<p>North</p> <p>Average Height = 6.4 metres</p> <p>Maximum Height = 7 metres</p> <p>South</p> <p>Average Height= 5.8 metres</p> <p>Maximum Height= 6.2 metres</p> <p>Length= 29 metres</p>
Performance Criteria:	<p>Residential Design Codes Clause 6.3.2 P2 Clause 7.1.4 P4.1 and P4.2</p> <p>Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:</p> <ul style="list-style-type: none"> • make effective use of space; or • enhance privacy; or • otherwise enhance the amenity of the development; • not have any significant adverse effect on the amenity of the adjoining property; and <p>ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.</p> <p><u>Buildings setback from boundaries or adjacent buildings so as to:</u></p> <p><u>ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;</u></p> <p><u>moderate the visual impact of building bulk on a neighbouring property;</u></p> <p><u>ensure access to daylight and direct sun for adjoining properties; and</u></p> <p><u>assist with protection of privacy between adjoining properties.</u></p> <p><u>In mixed use development, in addition to the above:</u></p> <p><u>Side boundary setbacks to a retail/commercial component of a development is in accordance with the street context, subject to relevant local planning scheme provisions.</u></p> <p><u>Retail/commercial development adjoining residential is designed to minimise the potential impacts between the two uses.</u></p>

Issue/Design Element:		Boundary Wall
Applicant's Justification Summary:		<i>No specific justification provided by the applicant</i>
Officer Technical Comment		The proposed development is considered to comply with the Performance Criteria provisions in this instance as the proposal makes effective use of space and enhances privacy to the two adjoining northern and eastern neighbours. The adjoining southern building has a nil setback, therefore the boundary wall along the southern boundary is supported. On the northern side, there will be no overshadowing or overlooking and no objection was received from the adjoining northern neighbour. Therefore the variation is supported. If this application is supported, the applicant will be required to provide at least two design features to the northern boundary wall to minimise the visual impact on the adjoining property.
Issue/Design Element:		Open Space
Requirement:		Residential Design Codes Clause 7.1.5 45 per cent of the site
Applicants Proposal:		Nil
Performance Criteria:		Residential Design Codes Clause 7.1.5 P5 Open space respects existing or preferred neighbourhood character and responds to the features of the site.
Applicant's Justification Summary:		<i>No specific justification provided by the applicant</i>
Officer technical comment:		In the previous R-Codes there was no requirement for open space. This proposal provides two balconies on the first floor for the residents of the multiple dwelling. The proposed development is considered to comply with the performance criteria in terms of respecting the neighbourhood character as the adjoining southern mixed use development does not have any open space and balconies are provided to the multiple dwellings.
Issue/Design Element:		Roof Forms
Requirement:		Residential Design Elements Clause 7.4.3 BDADC 3 Roof Pitch to be 30 - 45 degrees
Applicants Proposal:		Concealed Roof
Performance Criteria:		Residential Design Elements Clause 7.4.3 BDPC 3 The roof of a building is to be designed so that: <ul style="list-style-type: none"> • <i>It does not unduly increase the bulk of the building;</i> • <i>In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and</i> • <i>It does not cause undue overshadowing of adjacent properties and open space.</i>
Applicant's Justification Summary:		<i>No specific justification provided by the applicant</i>
Officer technical comment:		The proposed roofing is considered to comply with the Performance Criteria of Clause 7.4.3 <i>Roof Forms</i> : <ul style="list-style-type: none"> • The proposed roofing is contemporary in nature, and it is argued that the height and bulk of the structure with a skillion roof is less bulky and of a lesser height than what would be allowed if the development was of a pitched roof design. • It is also noted that overshadowing proposed would be of a greater degree and impact if the development was of a pitched roof format rather than skillion.

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

Issue/Design Element:	Solar Access for adjoining sites
Requirement:	Residential Design Codes – 7.4.2 A2 50 per cent of the site area and not overshadowing more than 50 per cent of the outdoor living area on the adjoining property.
Applicants Proposal:	The proposal complies with the requirement of not overshadowing more than 50 per cent of the site; however, it overshadows more than 50 per cent of the balconies of the mixed use development on the adjoining northern property.
Performance Criteria:	R-Codes Clause 7.4.2 P2 Development designed with regard for solar access for neighbouring properties taking account the potential to overshadow: <ul style="list-style-type: none"> • Outdoor living areas; • Major openings to habitable rooms; • Solar collectors; or • Balconies or verandahs.
Applicant's Justification Summary:	<i>Applicant did not provide specific justification.</i>
Officer technical comment:	In the previous R-Codes, the proposal complied with the overshadowing requirement, however, in the new R-Codes there is a requirement for overshadowing to be no more than 50 per cent of the outdoor living area of the adjoining property. Given the existing balconies on the adjoining southern property are facing north, any two storey development on the subject site will cause overshadowing of these balconies. Moreover, these balconies are open to the east and west and therefore there will still be solar access to these balconies. Moreover there will be no overshadowing of the third floor of the southern property and solar collectors. In this instance' it is considered that the proposal meets the performance criteria.

Issue/Design Element:	Awning
Requirement:	Awning is to be provided for commercial development
Applicants Proposal:	Awning not provided
Performance Criteria:	Not applicable
Applicant's Justification Summary:	Applicant did not provide specific justification.
Officer technical comment:	If this application is supported, the applicant will be required to provide an awning over the Oxford Street footpath.

Car Parking

Four car bays are provided, two car bays for the office and two car bays for the residential.

Office

Car Parking	
Car parking requirement (nearest whole number)	= 2 car bays
Office – 1 car bay per 50 square metres gross area (proposed 94 square metres = 1.88 car bays = 2 car bays	

Car Parking	
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (the proposed development is within 400 metres of a bus stop/station) • 0.8 (the proposed development contains a mix uses, where at least 45 percent of the gross floor area is residential) 	(0.68) = 1.36 car bays
Minus the car parking provided on-site	2 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant surplus	0.64 car bays

Bicycle Parking

Requirements	Required	Provided
Office 1 per 200 (proposed 94 square metres) square metres gross floor area for employees (class 1 or 2).	0.47 = 1 spaces	Nil

Residential

Car Parking	
Large Multiple Dwelling based on size (> 110 square metres) – 1.25 bay per dwelling (1 multiple dwellings) = 1.25 car bay= 1 car bay Visitors = 0.25 per dwelling (1 multiple dwelling proposed) = 0.25 car bays= Nil Total car bays required = 1 car bay	1 car bay
Total car bays provided	2 car bays
Surplus	1 car bay

Bicycle Parking		
Bicycle Parking	<ul style="list-style-type: none"> • 1 bicycle space to each 3 dwellings for residents and 1 bicycle space to each 10 dwellings for visitors (total 7 dwellings proposed): Nil bicycle space required • 1 Bicycle space per 10 dwellings: Nil bicycle space required 	Noted.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Comments Period:	16 June 2012 to 6 July 2012		
Comments Received:	Two objections and one support were received.		

Summary of Comments Received:	Officers Technical Comment:
Issue: Plot Ratio The plot ratio is excessive and will impact on the surrounding area.	Dismiss. The plot ratio was supported previously by Council at its Ordinary Meeting held on 23 February 2010. The proposed building/development is consistent with the current and desired built form of the locality, as the location of the site is within a Residential R60 coded precinct and located along Oxford Street which is a major road identified as an Activity Corridor. The proposed application is two storeys in height.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Overshadowing</p> <p>The overshadowing will impact on the adjoining courtyards on the southern property.</p>	<p>Dismiss. Refer to Assessment Table. The overshadowing was previously supported by the Council at its Ordinary Meeting held on 23 February 2010. Given the existing balconies on the adjoining southern property are facing north, any two storey development on the subject site will cause overshadowing of these balconies. Moreover, these balconies are open to the east and west and therefore there will still be solar access to these balconies.</p>
<p>Issue: Open Space</p> <p>Concerns about no open space being provided.</p>	<p>Dismiss. The Council at its Ordinary Meeting held on 23 February 2010 supported a reduction in open space given the urban character of the location. Refer to Assessment Table.</p>
<p>Issue: Streetscape</p> <p>The building will impact on the streetscape along Oxford Street.</p>	<p>Dismiss. The Oxford Streetscape is evolving and the proposal is in line with the future desired character of the area.</p>

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

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 two balconies on the two sides of the building will bring light and ventilation to the building.	

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Demolition

The subject dwelling at No. 263 Oxford Street, Leederville is an example of brick and iron Interwar Bungalow style of architecture constructed circa 1939. The subject dwelling features a hipped roof which has a gable covering the northern street facing room.

The WA Post Office Directories first documents the subject dwelling in 1940 as No. 261, with Charles Taylor as the occupant. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

A full heritage assessment was undertaken for No. 263 Oxford Street, Leederville, based on the plan dated 2 May 2012, which indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the City's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory.

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

Strategic Comments

The City's Draft Local Planning Strategy identifies Oxford Street as a vital conduit between the Town Centres of Mount Hawthorn and Leederville. Oxford Street displays opportunities for linear intensification of land uses, supported by good levels of public transport. Accordingly, there is an opportunity to promote a variety of commercial/employment and high density residential developments along the street.

The WAPC's Draft Central Metropolitan Perth Sub-regional Strategy (August 2010) identifies Oxford Street as demonstrating urban corridor attributes. Urban corridors generally provide opportunities for new medium rise higher-density housing in existing urban areas.

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

9.1.6 Amendment No. 102 to Planning and Building Policies – Draft Amended Appendix 11 relating to Non-Conforming Use Register

Ward:	Both	Date:	31 August 2012
Precinct:	All	File Ref:	PLA0081
Attachments:	001 – Draft Amended Appendix No. 11 relating to Non-Conforming Use Register		
Tabled Items:	-		
Reporting Officer:	A Fox, Strategic Planning Officer		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the Report relating to Amendment No. 102 to Planning and Building Policies – Appendix No. 11 - Non-Conforming Use Register, as shown in as shown in Appendix 9.1.6; and
2. **ADVERTISES** Amendment No. 102 to Planning and Building Policies – Appendix No. 11 relating to the Non-conforming Use Register for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1, including:
 - 2.1 advertising a summary of the subject Amendment once a week for four consecutive weeks in a newspaper circulating in the locality;
 - 2.2 where practicable, notifying those persons who, in the opinion of the City, might be directly affected by the subject Policy; and
 - 2.3 forwarding a copy of the subject Amendment to the Western Australian Planning Commission; and
3. **After the expiry of the period for submissions:**
 - 3.1 **REVIEWS** Appendix No. 11 – relating to Non-Conforming Use Register, having regard to any written submissions; and
 - 3.2 **DETERMINES** Appendix No. 11 – relating to Non-Conforming Use Register, with or without amendment, to or not to proceed with them.

COUNCIL DECISION ITEM 9.1.6

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Amended Appendix No. 11 relating to the City's Non-Conforming Use Register for consideration by the Council, and to seek the Council's approval to advertise the Draft Amended Appendix No. 11.

BACKGROUND:

On 20 November 2001 the City adopted the Non-Conforming Use Register (NCU Register) as Appendix No. 11 to Planning and Building Policy Manual. In 2011 the City's Officers commenced a review of the Non-Conforming Use Register to ensure that the listed properties were operating in accordance with the approved non-conforming use.

As part of this review, site inspections undertaken by the City's Officers indicated that a number of properties were vacant. Subsequent investigation, including a written request from the owners to provide evidence on the use of the property in some cases was unable to confirm when the property became vacant and ceased to operate in accordance with the approved non-conforming use. As such, five (5) properties were listed as 'Vacant as at 28 November 2011' on the amended Non-Conforming Use Register that was adopted by the Council at its Ordinary Meeting held on 12 June 2012 as follows:

- No. 27-29 (Lot 106) Carr Street, West Perth;
- No. 27 (Lot 167) Eton Street, North Perth;
- No. 199-205 (Lot 1) Fitzgerald Street, Perth;
- No. 110-112 (Lots 442,443 and 444) Scarborough Beach Road, Mount Hawthorn; and
- No. 23 (Lot 12) Eden Street, West Perth.

In relation to vacant/disused properties, the following Clause 16 (4) of the City's Town Planning Scheme No. 1 applies:

'When a non-conforming use of any land or building has been discontinued for a period of six consecutive months or more such land or building shall not thereafter be used otherwise than in conformity with the Scheme'.

A period of over six (6) months has passed since the properties were inspected on 28 November 2011. To ensure that the Non-Conforming Use Register remains current, it has been necessary for the City's Officers to re-inspect properties listed as vacant on the register to confirm their status. Those properties that still remain vacant/disused will lose their non-conforming use status and will subsequently need to be removed from the Non-Conforming Use Register.

History

Date	Comment
20 November 2001	The City adopted the Non-Conforming Use Register (NCU Register) as Appendix No. 11 to Planning and Building Policy Manual
14 February 2012	The Council initiated Amendment No. 86 and authorised the Draft Amended Appendix No. 11 to be advertised.
20 March 2012	The public consultation period commenced for Amendment No. 86 relating to draft amended Appendix No. 11.
26 April 2012	The public consultation period ended for Amendment No. 86 relating to draft amended Appendix No. 11.
12 June 2012	The Council at its Ordinary Meeting adopted amended Appendix No. 11 to the City's Non-Conforming Use Register.

Previous Reports to Council:

The Non-Conforming Use Register was last adopted by the Council at its Ordinary Meeting held on 12 June 2012. The minutes from Item 9.1.5 the Ordinary Meeting of Council held on the 12 June 2012 relating to the last adoption of the Non-Conforming Use Register are available from the following link:

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

DETAILS:

Further site inspections were undertaken on 27 August 2012 to determine the status of the Non-Conforming Uses at the abovementioned premises that were listed as vacant on the amended Appendix No. 11 relating to the City's Non-conforming Use Register.

Property Address	Officer Comment/Recommendation
No. 27-29 (Lot 106) Carr Street, West Perth	A site inspection confirmed that this site is vacant, with the building associated with the previously approved non-conforming use of Light Industry having been demolished. As such, in accordance with Clause 16 (4) of TPS No. 1, the non-conforming use rights at this site no longer exist. It is proposed that the site be removed from the Non-conforming Use Register.

Property Address	Officer Comment/Recommendation
No. 27 (Lot 167) Eton Street, North Perth	<p>A site inspection of the property indicated that the building on site was closed up and appeared to be no longer operating in accordance with the previously approved non-conforming use of Light Industry.</p> <p>At the previous site inspection on 28 November 2011 the property was also vacant with no evidence arising to confirm an ongoing Light Industrial use. As such, it is proposed that in accordance with Clause 16 (4) of TPS No. 1, that the approved non-conforming use status of this site cease, and the site be removed from the Non-Conforming Use Register.</p>
No. 199-205 (Lot 1) Fitzgerald Street, Perth	<p>A site inspection indicated that the building on the premises previously approved for the non-conforming use of Warehouse appeared vacant. Notwithstanding this, it is difficult to confirm the use of buildings occupied as warehouse as they are often left closed up and appear unoccupied.</p> <p>The owner was previously advised on 23 March 2012 that a site inspection of the property on 28 November 2011 indicated that the property appeared vacant. The owner was invited to confirm the continued use of the property as a warehouse; however no confirmation was received at this time. The owner was advised that a further inspection would be undertaken and should no evidence be presented to confirm the use of the site as a warehouse, the non-conforming use status of the site would lapse.</p> <p>It is proposed that the non-conforming use status of this site cease, and the site be removed from the Non-Conforming Use Register.</p>
No. 110-112 (Lots 442,443 and 444) Scarborough Beach Road, Mount Hawthorn	<p>A site inspection confirmed that the site is vacant, with the building associated with the previously approved non-conforming use of Open Air Display having been demolished. In light of this, in accordance with Clause 16 (4) of TPS No. 1, the non-conforming use rights at this site no longer exist.</p> <p>It is proposed that the site be removed from the Non-conforming Use Register.</p>
No. 23 (Lot 12) Eden Street, West Perth	<p>A site inspection of the property indicated that the site is vacant and still no longer operating in accordance with the previously approved non-conforming use of Car Park. The adjoining motor vehicle repair business associated with the carpark was no longer in operation.</p> <p>As it appears that the site has not been used as a carpark from the period of 28 November 2012 until the recent site inspection on 27 August 2012, it is proposed that in accordance with Clause 16 (4) of TPS No. 1 that the approved non-conforming use status of this site cease, and the site be removed from the Non-conforming Use Register.</p>

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Consultation Period: 28 days

Consultation Type: Advert in local paper, notice on the City's website, copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre, written notification to owner(s) and occupier(s) of affected properties as determined by the City of Vincent and to the Western Australian Planning Commission and the State Heritage Office, and other appropriate government agencies as determined by the City of Vincent.

LEGAL/POLICY:

In accordance with Clause 17 of the City's Town Planning Scheme No. 1, the City will maintain a Register of Non-Conforming Uses. The City's current Appendix No. 11 relating to Non-Conforming Uses contains a register of non-conforming uses within the City. The proposed changes to Appendix No. 11, the subject of Amendment No. 102 will ensure that the register reflects the current status of non-conforming uses within the City.

RISK MANAGEMENT IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 1.1 states:

"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:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for advertising of the Policies will be incurred under the following budgeted item:

Town Planning Scheme Amendments and Policies

Budget Amount:	\$ 80,000
Spent to Date:	<u>\$ 142.50</u>
Balance:	\$ 79,857

COMMENTS:

It is considered that the proposed amendment to Appendix No. 11 relating to the City's Non-Conforming Use Register will ensure that the record of longstanding non-conforming uses within the City remain current. It will also ensure that properties that are no longer operating in accordance with their approved use are advised that their non-conforming use status has lapsed and that the property must operate in accordance with the zoning of the site.

In light of the above, it is recommended that the Council progresses the Draft Amended Appendix No. 11 relating to the City's Non-Conforming Use Register in accordance with the Officer Recommendation.

9.2.3 Consideration of Community Consultation Submissions for the Proposed Traffic Management Improvement Intersection of Woodville & Menzies Streets, and the Introduction of a Three (3) Hour Parking Restriction on the western side of Woodville Street, North Perth

Ward:	North	Date:	31 August 2012
Precinct:	North Perth Centre (9)	File Ref:	PKG0001, PLA0084, TES0223 & TES0536
Attachments:	001 – Plan No. 2933-CP-01E 002 – Summary of Comments		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES** the installation of a three hour (3P) parking restriction, 8.00am to 5.30pm Monday to Friday and 8.00am to 12 noon Saturdays for the perpendicular parking bays on the western side of Woodville Street between Angove and Menzies Streets;
2. **DEFERS** the proposed traffic modifications at the intersection of Woodville and Menzies Street as shown on Plan No. 2933-CP-01E; and
3. **CONTINUES** to the monitor the traffic volumes and/or accidents at the intersection of Woodville and Menzies Street

COUNCIL DECISION ITEM 9.2.3

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of community consultation for the proposed Traffic Management Improvement at the Intersection of Woodville & Menzies Streets, and the introduction of a three hour (3P) parking restriction on the western side of Woodville Street, North Perth.

BACKGROUND:

Ordinary Meeting of Council – 24 April 2012:

At its Ordinary Meeting of 24 April 2012 the Council received a report on *Possible Provision of Additional ‘On Road’ Parking – North Perth District Centre – Progress Report No. 2.*

While the report primarily focused upon the construction of additional on-road perpendicular parking bays in various locations within North Perth Town Centre it also made reference to residents and business proprietors concerns about the possible impact of the additional parking on Woodville and Menzies Streets.

The report discussed, in general terms, the outcomes of the public forum held at the North Perth Town Hall on 8 March 2012.

Amongst a number of issues raised was a request for traffic management improvements in Woodville and Menzies Streets to deter 'rat runners'.

Having considered the report the Council adopted in part the following resolution (in part):

"4. REFERS the proposed traffic management treatment as outlined in Plan No. 2933-CP-01D to the City's Integrated Transport Advisory Group; and"

Integrated Transport Advisory Group (ITAG)

The matter was considered by the ITAG at its meeting of 2 July 2012. In addition to the proposed intersection modifications, as shown on Drawing No. 2993-CP-01E, (which superseded 2993-CP-01D) the Group also discussed the need for timed parking restrictions for new bays constructed on the western side of Woodville Street.

Initially it was considered that restrictions were not warranted as the mix of time restrictions allowed visitors and/or customers to the area a degree of flexibility. However, as often happens with unrestricted bays in Town Centres they have caught the attention of commuters resulting in the parking being fully occupied during business hours.

The Group consequently discussed differing time restrictions before deciding that the most appropriate would be a three hour (3P) restriction, 8.00am to 5.30pm Monday to Friday and 8.00am to Noon Saturdays.

The ITAG agreed that the residents and businesses of Woodville, Menzies and Angove Streets were to be consulted about the proposed intersection modifications and new parking restrictions.

DETAILS:

Community Consultation:

A total of one hundred and twenty seven (127) letters were distributed to the residents and businesses in Woodville, Menzies and Angove Streets (Daphne Street to Fitzgerald Street).

Residents were asked to comment of the following:

- Part A: Proposed Traffic Management Trial and
- Part B: Proposed 3P Parking Restriction in New Angled Parking West Side of Woodville Street.

At the close of the consultation period on 15 August 2012, twenty one (21) responses were received representing a 16.5% response rate. A summary of the comments received are attached.

The following information was distributed as part of the consultation pack.

"Background:

At its Ordinary meeting held on 24 April 2012 the Council approved the implementation of additional 'on -road' parking bays in Woodville Street between Angove Street and Menzies Street. As part of these proposal residents requested that some form of traffic management be implemented to address the 'rat running issues, Woodville into Menzies Street.

Details:

As part of the approval for the angle parking the Council gave an 'in principle' approval for a traffic management treatment at the intersection of Woodville and Menzies Street as shown on the attached plan No 2933-CP-01E. As you would be aware the additional parking has been implemented however with regards the traffic management this was to be subject to further community consultation.

Proposal:

Traffic management:

The purpose of the proposed traffic treatment is to stop the evening rat run from Angove Street via Menzies Street into Fitzgerald Street. This would be achieved by banning the right turn from Woodville to Menzies Street. Vehicles would still be able to turn left out of Menzies Street into Woodville Street. It is considered that this treatment would have little effect on Woodville Street north of Menzies Street as motorists would be reluctant to use Farmer Street and a 'rat run' to Fitzgerald Street due to the existing calming devices in place in Farmer Street.

Your views on this proposal are sought.

Proposed 3P parking restriction – new angle parking west side of Woodville Street:

The Council previously approved a 3P parking restriction in the new angle parking east side of Woodville Street but to leave the new angle parking west side of Woodville Street unrestricted.

The City has received several requests to implement a 3P parking restriction in the new angle parking west side of Woodville Street also."

Consultation Outcomes:

As mentioned above, at the close of consultation of the one hundred and twenty seven (127) letters distributed twenty one (21) responses were received as with comments broken down as follows:

Part A: Proposed Traffic Management Trial (Drawing No. 2933-CP-01E)

- In favour or part there of: 9
- Against or part there of: 11
- Other: 1

Part B: Proposed 3P Parking Restriction in New Angled Parking West Side of Woodville Street.

- In favour or part there of: 12
- Against or part there of: 5
- Other: 4

Discussion:

Part A: Proposed Traffic Management Trial (Drawing No. 2933-CP-01E)

In respect of the intersection modifications of those in favour, several also had reservations about the potential to increase the volume of traffic using Woodville Street as the 'new' rat run' or the general access issues, particularly those with garages off Sholl Lane.

As a result of the nine (9) responses only five (5) unreservedly support the proposal.

Of the eleven (11) against the proposal all were concerned about the potential impact upon Woodville Street and access to Sholl Lane.

Traffic Data:

August 2012	Woodville Street Angove to Menzies	Woodville Street Menzies to Farmer	Menzies Street Woodville to Fitzgerald	
85% speed-kph	25.9	47.2	40.7	
Average speed-kph	21.2	37.9	33.7	
Average weekday	1280	385	829	
			West bound	240
			East bound	589
AM Peak (8.00 to 9.00)	106	30	West bound	27
			East bound	17
PM Peak (5.00 to 6.00)	138	43	West bound	45
			East bound	74

As can be seen from the data above if the east bound movement from Woodville Street to Fitzgerald Street (via Menzies Street) is eliminated by the proposed intersection treatment the volume of traffic using Menzies Street would fall by approximately 70%.

The east bound PM Peak confirms the existence of a 'rat run' as motorists try to avoid the traffic signals at the intersection of Angove and Fitzgerald Streets, which are biased toward the Fitzgerald Street traffic flow in the peak periods.

The issue that arises is the potential impact upon Woodville Street from Menzies Street to Farmer Street and as to what percentage of the vehicles, particularly in the evening peak, would use Woodville Street as a 'rat run'.

Anecdotal evidence would suggest some, but not all. The route is not as convenient, is longer, slower as Woodville Street is only 7.3m wide with parking on both sides, involves a "T" junction and (high) speed humps in Farmer Street before entering Fitzgerald Street.

Part B: Proposed 3P Parking Restriction in New Angled Parking West Side of Woodville Street.

Of the 21 responses 12 were in favour of the new restrictions of which 2 were concerned that the aforementioned commuter parking would merely move down the street to the unrestricted area north of Menzies Street.

Of those against, the issue of staff parking for the businesses on Angove Street was consideration as was the recent installation of boom gates to the parking area to the rear of 46-54 Angove Street which resulted in some regular parkers being displaced and moving to the unrestricted parking in Woodville Street.

As indicated above the long term parkers may simply move further up Woodville Street or potentially the existing perpendicular parking in Albert Street.

Conclusions:

Both Woodville and Menzies Streets are classified as Access Roads under the Functional Road Hierarchy and have a posted speed of 50kph with a maximum limit of 3,000 vehicles per day. As can be seen from the traffic data the 85% speed and daily traffic volumes are well within the criteria.

Reported accident statistics for the three intersections for the past five (5) years are as per the following:

- Fitzgerald and Menzies Streets, 1 rear end (in Fitzgerald Street);
- Menzies and Woodville Streets, Nil; and
- Woodville and Angove Streets 2, 1 rear end (in Angove Street) and 1 right angled.

Therefore the proposed intersection modifications cannot be justified for reasons of road safety.

While the proposed modifications would reduce the volume of traffic using Menzies Street by approximately 70% the impact upon Woodville Street north of Menzies Street would likely be of significance to the residents. However, the current Woodville Street volume of 385 vehicles per average weekday is relatively low especially considering that the majority of these movements can be directly attributed to the residents.

If half of the diverted east bound Menzies Street traffic used Woodville Street (to and from Farmer Street) the volume would increase by approximately 75% to order of the 680 vehicles per average weekday. It could be argued that this figure is still relatively low if benchmarked against surrounding streets.

CONSULTATION/ADVERTISING:

Residents were requested to comment on the matter and the resultant comments are attached.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The recorded 85% speeds are low, the traffic volumes are well within the criteria while the accidents statistics are below the metropolitan average.

STRATEGIC IMPLICATIONS:

This is in keeping with the Objectives of the City's *Strategic Plan 2011 -2016*:

"Natural and Built Environment

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

1.1.5: 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:

It is recommended that the works not proceed at this stage.

2011/2012 Financial year:

Budget:	\$35,000
Expended to date:	<u>\$ 962</u>
Funds remaining:	\$34,038

COMMENTS:

As is often the case with Public Consultation there was a diverse range of comments and differing opinions offered. However the accident data does not support significant changes to the intersection while the traffic data indicates that there is a 'rat run' in Menzies Street, particularly for the evening peak period east bound as motorists avoid the traffic signals at the intersection of Angove and Fitzgerald Streets.

In respect of the parking in the perpendicular bays on the western side of Woodville Street as there currently no restrictions the bays tend to be fully occupied during business hours. Some resident see this as positive as it has drawn some commuter parking out of their street while other argue that it should not be free all day for commuters which is of no benefit the City.

9.3.1 Financial Statements as at 31 July 2012

Ward:	Both	Date:	31 August 2012
Precinct:	All	File Ref:	FIN0026
Attachments:	001 – Financial Reports		
Tabled Items:	002 – Significant Accounting Policies		
Reporting Officers:	B C Tan, Manager Financial Services; and N Makwana, Accounting Officer		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Financial Statements for the month ended 31 July 2012 as shown in Appendix 9.3.1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to present the Financial Statements for the period ended 31 July 2012.

BACKGROUND:

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

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

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

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

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

DETAILS:

The following documents represent the Statement of Financial Activity for the period ending 31 July 2012:

Note	Description	Page
1.	Summary of Income and Expenditure by Service Areas	1-23
2.	Statement of Financial Activity by Programme Report	24
3.	Statement of Financial Activity by Nature or Type Report	25
4.	Statement of Financial Position	26
5.	Statement of Changes in Equity	27
6.	Capital Works Schedule	28-34
7.	Restricted Cash Reserves	35
8.	Sundry Debtors Report	36
9.	Rate Debtors Report	37
10.	Beatty Park Leisure Centre Report – Financial Position	38
11.	Major Variance Report	39-43
12.	Monthly Financial Positions Graph	44-46

1. SIGNIFICANT ACCOUNTING POLICIES AND NOTES

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

Comments on the financial performance are set out below:

2. As per Appendix 9.3.1.

3. Statement of Financial Activity by Programme Report

Operating Revenue excluding Rates

YTD Actual	\$1,654,120
YTD Revised Budget	\$1,704,590
YTD Variance	\$50,470
Full Year Budget	\$20,198,425

Summary Comments:

The total operating revenue is currently 97% of the year to date Budget estimate.

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

General Purpose Funding – 55% over budget;
 Governance – 4% under budget;
 Law, Order, Public Safety – 19% under budget;
 Health – 17% under budget;
 Education and Welfare – 15% over budget;
 Community Amenities – 20% over budget;
 Recreation and Culture – 2% over budget;
 Transport – 20% under budget;
 Economic Services – 19% under budget;
 Other Property and Services – 88% over budget; and
 General Administration (Allocated) – 9% over budget.

Note: Detailed variance comments are included on page 39 – 43 of Appendix 9.3.1.

Operating Expenditure

YTD Actual	\$2,826,986
YTD Revised Budget	\$3,868,126
YTD Variance	(\$1,041,140)
Full Year Budget	\$45,143,870

Summary Comments:

The total operating expenditure is currently 73% of the year to date Budget estimate

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

General Purpose Funding – 37% under budget;
 Governance – 33% under budget;
 Law Order and Public Safety – 31% under budget;
 Health – 29% under budget;
 Education and Welfare – 57% under budget;
 Community Amenities – 34% under budget;
 Recreation and Culture – 26% under budget;
 Transport – 1% over budget;
 Economic Services – 26% under budget;
 Other Property & Services – 32% under budget; and
 General Administration (Allocated) –769% over budget.

Note: Detailed variance comments are included on page 39 – 43 of Appendix 9.3.1.

Net Operating and Capital Excluding Rates

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

YTD Actual	\$339,640
YTD Revised Budget	\$1,771,486
Variance	(\$2,111,126)
Full Year Budget	\$26,434,292

Summary Comments:

The current favourable variance is due to timing of expenditure on capital expenditure.

Note: Detailed variance comments are included on page 39 – 43 of Appendix 9.3.1.

4. Statement of Financial Activity by Nature and Type Report

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

5 Statement of Financial Position and

6. Statement of Changes in Equity

The statement shows the current assets of \$49,395,341 and non-current assets of \$193,382,045 for total assets of \$242,777,386.

The current liabilities amount to \$14,290,795 and non-current liabilities of \$19,356,716 for the total liabilities of \$33,647,511.

The net asset of the City or Equity is \$209,129,875.

7. Net Current Funding Position

	31 July 2012 YTD Actual \$
Current Assets	
Cash Unrestricted	3,449,892
Cash Restricted	16,278,813
Receivables – Rates and Waste	21,726,356
Receivables – Others	7,749,261
Inventories	180,019
	49,384,341
Less: Current Liabilities	
Trade and Other Payables	(9,413,059)
Provisions	(2,418,584)
Accrued Interest (included in Borrowings)	(339,850)
	(12,171,493)
Less: Restricted Cash Reserves	(16,278,813)
Net Current Funding Position	(20,934,035)

8. Capital Expenditure Summary

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

	Budget	Year to date Revised Budget	Actual to Date	%
Furniture & Equipment	\$310,640	\$8,500	\$6,573	77%
Plant & Equipment	\$1,757,000	\$33,000	\$11,257	34%
Land & Building	\$11,289,000	\$2,000,000	\$4,715	0%
Infrastructure	\$13,916,365	\$140,000	\$119,285	85%
Total	\$27,273,005	\$2,181,500	\$141,830	7%

Note: Detailed analyses are included on page 28 – 34 of Appendix 9.3.1.

9. Restricted Cash Reserves

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

The balance as at 31 July 2012 is \$16.2m. The balance as at 31 July 2011 was \$9.4m. The increase is due to \$8.06m loan received from WA Treasury for Beatty Park Redevelopment and \$5m received from State Government of WA for a new lease agreement for the nib Stadium for 25 years with further 25 years option.

10. Sundry Debtors

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$1,246,312 is outstanding at the end of July 2012.

Out of the total debt, \$282,839 (22.7%) relates to debts outstanding for over 60 days, which is related to Cash in Lieu Parking. The Cash in Lieu Parking debtors have special payment arrangement for more than one year.

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

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

11. Rate Debtors

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

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

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

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

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

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

Rates outstanding as at 31 July 2012 including deferred rates was \$20,886,600 which represents 85.10% of the outstanding collectable income compared to 83.65% at the same time last year.

12. Beatty Park Leisure Centre – Financial Position Report

As at 31 July 2012 the operating deficit for the Centre was \$93,653 in comparison to the year to date budgeted deficit of \$352,433.

The cash position showed a current cash deficit of \$50,387 in comparison year to date budget estimate of a cash deficit of \$308,490. The cash position is calculated by adding back depreciation to the operating position.

It should be noted that the Cafe and Retail shop have not opened yet but partial services are offered through reception area. Outdoor pool is closed for redevelopment and Indoor pool has re opened on the 23rd July, 2012.

13. Major Variance Report

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

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

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

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

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

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

*4.1.2 Manage the organisation in a responsible, efficient and accountable manner;
(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”*

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

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

9.3.2 Beatty Park Redevelopment, 220 Vincent Street, North Perth - Progress Report No. 11

Ward:	South	Date:	31 August 2012
Precinct:	Smiths Lake	File Ref:	CMS0003
Attachments:	001 – Progress Photos 002 – Additional 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 **RECEIVES** Progress Report No. 11 as at 11 September 2012, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth.

COUNCIL DECISION ITEM 9.3.2

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

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 and 14 August 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
- Replaced 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
Replaced 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**

No changes to previous report.

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**

Section of Café lounge polished concrete floor contaminated with wood and replaced with tiles in a similar colour.

5. POOLS AND PLANT ROOM

5.1 **Outdoor Main Pool**

Tiling of walls completed.

Raised grass area block work completed.

5.2 **Dive Pool**

Dive pool ready to commence tiling.

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. (102 followers as at 30 August 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 30 August 2012 is 1,392 (181 more than last month).

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) CSO reception and one (1) swim teacher 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 draft is now in the design stage.

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 of February 2012.

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

Preliminary preparation of the invitation list for a potential function and/or "open day" has commenced. The celebratory book for 50 years has been given a title and is in the design stage. A separate launch is envisaged.

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

Ten (10) 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	\$883,759.93		

Total Paid \$6,122,780.72

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			<u>\$1,964,019.00</u>	

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.

The Swim School continues to be inundated with interest and are currently receiving up to thirty (30) enquiries per day. Numbers are continuing to rise steadily, at present there are 1164 participants as at 30 August 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 project is still on target for the opening of the outdoor pools in late October 2012 and the new extension in late December 2012.

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.

9.4.2 Community and Welfare Grants and Donations Scheme 2012/2013

Ward:	Both	Date:	31 August 2012
Precinct:	All	File Ref:	FIN0202
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	E Everitt, Community Development Officer; and J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES** payment of the following Community Welfare Grant and Donation as part of the funding approved in the 2012/2013 Annual Budget:

Organisation	Amount
St. Vincent de Paul Society	\$5,837

COUNCIL DECISION ITEM 9.4.2

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

PURPOSE OF REPORT:

To obtain the Council approval of a Grant to St. Vincent de Paul Society under the Community and Welfare Grants and Donations Scheme for the 2012/2013 financial year.

BACKGROUND:

The City of Vincent established the Community and Welfare Grants and Donations Scheme to provide financial assistance to individuals who are disadvantaged and/or in crisis and to not for profit community service providers that provide assistance to City of Vincent residents.

Not for profit organisations are entitled to apply for grants of up to \$5,837 per financial year to assist with providing community services and programmes.

Sundry Donations are also allocated to enable the City to provide small donations to not for profit community service providers, not in receipt of an annual grant. All applications are thoroughly assessed in accordance with determined criteria and guidelines.

This application has been rated against the set criteria. The ratings are shown below:

Criteria	Weighting
Benefit to City of Vincent residents	50%
Financial viability of the project or programme	10%
Previous grants acquitted satisfactorily	10%
Targets vulnerable and disadvantaged groups in the community	10%
A unique service that meets the needs of the community	10%
Demonstrated experience in delivering the service or programme	10%
	100%

DETAILS:

A summary of the applications and their ratings is shown below:

Organisation	St. Vincent de Paul Society, Passages Resource Centre
Purpose of Funding	<p>The Funding requested will be used to run The Healthy Cooking Programme, Friday BBQ's, and The Breakfast Club.</p> <p>The Healthy Cooking Programme</p> <p>The Programme currently runs on a weekly basis between 1.00pm and 3.00pm on Tuesdays. The Programme is targeted at homeless, at risk or marginalized young people between the ages of twelve (12) and twenty five (25). The aim of the Programme is to model healthy eating and cooking skills to this group and promote positive peer to peer interaction. Participants learn how to budget their food bill, as well as shop for healthy food on limited income. Moreover, participants are given a number of new recipes that demonstrate how to create a healthy meal using basic ingredients. The participants are also taught about nutritional information and hygienic cooking practices in the kitchen. This group is facilitated at Passages Resource Centre by a minimum of two (2) staff members. At various times of the year and dependant on availability, this Programme is facilitated by Food Cents (Australian Red Cross)</p> <p>Friday BBQ</p> <p>Passages Resource Centre is a Monday to Friday service. The Friday BBQ's give the clients an opportunity to enjoy positive and safe interaction prior to the weekend, where they receive little to no service and assistance due to the majority of Homeless services being closed on weekends. The clients prepare and cook the food, as well as tidy up after the BBQ, providing an interactive experience. Clients are equipped with basic life skills and an opportunity to practice any skills they have learned if they have attended Healthy Cooking Class. During this social and interactive time, clients experience positive peer to peer interaction and positive role modelling from staff around communication skills. This Programme also gives the clients an opportunity to informally discuss any issues or concerns they may have leading into the weekend.</p> <p>Breakfast Club</p> <p>Monday to Thursday between 9.00am and 11.00am, ingredients are provided for clients so they are able to make their own breakfast or have support from peers or staff to learn how to make something. This is in keeping with the positive messages in the Healthy Cooking Class on consistent and nutritious eating. The main items provided include: Tea, coffee, Milo, bread, spreads, eggs, milk and breakfast cereals.</p>
Target Group	<p>Passages Resource Centre targets marginalized young people aged 12 to 25 years. These young people are experiencing severe disadvantages such as homelessness, poverty, mental health issues, abuse and trauma.</p>
Services Provided	<p>Passages Resource Centre Northbridge provides the following services:</p> <ul style="list-style-type: none"> • Advocacy and referrals; • Informal counselling, Supporting people to change, Motivational Interviewing; • Laundry, bathroom and kitchen facilities; • Telephone, postal and computer/internet access;

Organisation	St. Vincent de Paul Society, Passages Resource Centre
	<ul style="list-style-type: none"> • Transport 24 Hour Smart Riders; • Emergency Relief Food and Clothing Vouchers; • Education and Training Grants; • Employment preparation workshops; • Medical and personal hygiene products; • Information and life skills programmes; • Passages Boot Camp, positive leisure and recreation activities via Realink; • Transitional 12 month supported accommodation options; • Breakfast Club, Healthy Cooking and BBQ Fridays; and • Allied specialist homeless support services including: <p>Centrelink Community Team Perth Central and East Metro Medicare Street Doctor Mobile Mind Care Psychologist Youthlink Social Worker Drug and Alcohol Youth Service (Mission Australia) Street Law and Allen's Arthur Robinson, Western Australian Substance Users Association Food Cents, Street Connect and Youth Futures Sexual health workshops.</p>
Incorporated	Yes
Residents Served	<p>In the 2011-2012 Financial Year, Passages Resource Centre served 1222 individual clients; of those clients there were, 3970 visits to the centre and 9360 Resources used by clients. Passages staff made 2168 referrals to other services.</p> <p>However, due to the transient and street present nature of clients, it is difficult to quantify how many of these young people reside in the City of Vincent, but due to the City's close proximity to the Centre, it is estimated that a significant proportion of these young people live within its boundaries and adjoining suburbs.</p>
Comments	<p>Passages Resource Centre provides a number of unique services to marginalised residents aged 13-25 all over the Perth area including City of Vincent residents.</p> <p>The services that this funding will assist in providing are imperative in assisting at risk youth in bettering and changing their circumstances and providing them with the skills to improve their futures.</p>
Amount Requested	\$5,837
Officer Recommendation	\$5,837

St. Vincent de Paul Society, Passages Resource Centre	Raw Score	Weighted Score
Benefit to City of Vincent residents	80	40%
Financial viability of the project or programme	90	9%
Previous grants acquitted satisfactorily	100	10%
Targets vulnerable and disadvantaged groups in the community	100	10%
A unique service that meets the needs of the community	90	9%
Demonstrated experience in delivering the service or programme	100	10%
	560	88%

CONSULTATION/ADVERTISING:

The Community Welfare Grants and Donations are advertised on the City's website and are open for application in May and November of each financial year. As Passages Resource Centre is a previous recipient, they were aware of the opportunity to apply for another grant. Passages Resource Centre is applying for this grant outside of the regular advertisement period as they missed their opportunity to apply for the May round of funding due to a change in management. The Healthy Cooking Programme will not be able to sustain itself until the next round of funding in November. It is recommended that the Council receive and assesses this application outside of the regular advertisement period.

LEGAL/POLICY:

No. 3.10.6 – Community and Welfare Grants.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Plan 2011-2016* Objective 3 states:

"Community Development and Wellbeing

3.1.3 Promote health and wellbeing in the community.

3.1.6 *Build capacity within the community to meet its needs."*

SUSTAINABILITY IMPLICATIONS:

The provision of the recommended grants will create a positive standard of sustainability and accessibility in the community. Provision of this grant will allow Passages Resource Centre to continue an initiative that promotes health and wellbeing to marginalised and vulnerable persons in the community. The recommended grants are for the provision of programmes that enhance the quality of life of all residents in the community.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this matter will be incurred under the Donations and Sponsorship budgeted item as follows:

Budget Amount:	\$45,000
Spent to Date:	<u>\$ 0</u>
Balance:	\$45,000

COMMENTS:

Passages Resource Centre provides a range of unique financially viable services that support and enhance the quality of the City of Vincent and its residents, and is recommended for funding.

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	31 August 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 August 2012.

COUNCIL DECISION ITEM 9.5.1

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

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
10/08/2012	Notification under Section 70A	3	City of Vincent and T N Andonovski and H M Adolphson both of 84 Beaufort Street, Perth re: No. 86 Grosvenor Road, Mount Lawley - Re: Development Application 5.2010.650.2, Condition (v).
10/08/2012	Lease	3	City of Vincent and Leederville Cricket Club (Inc) of 41 Britannia Road, Leederville 6007 re: Lease for portion of No. 41 Britannia Road, Leederville - <i>As per decision of the Ordinary Meeting of Council held on 13 September 2005 - Item 10.3.5 - For a period of five (5) years from 1 April 2012 to 31 March 2017, with a further five (5) year option from 1 April 2017 to 31 March 2022</i>
10/08/2012	Lease	3	City of Vincent and Earlybirds Playgroup (Inc), 87 The Boulevard, Mount Hawthorn re: Lease for portion of No. 87 The Boulevard, Mount Hawthorn - <i>As per decision of the Ordinary Meeting of Council held on 22 May 2012 - Item 9.3.4 - For a period of five (5) years from 1 July 2012 to 30 June 2017, with a further five (5) year option from 1 July 2017 to 30 June 2022</i>
28/08/2012	Grant Agreement	2	City of Vincent and Department of the Attorney General, c/o Level 12, 141 St Georges Terrace, Perth re: Criminal Property Confiscation Grants Program for the installation of CCTV along Beaufort Street in suburb areas of Perth, Highgate and Mount Lawley - <i>Agreement term from 1 October 2012 to 30 September 2014</i>

Date	Document	No of copies	Details
28/08/2012	Withdrawal of Caveat	2	City of Vincent and Downings Legal of Level 11, 167 St Georges Terrace, Perth re: No. 27 (Lot 314 & 9928) The Boulevard, Mount Hawthorn - <i>As per conditional Delegated Authority Approval issued on 13 December 2011 for Alterations and Additions to Existing Single House involving additions spanning over both lots 314 and 9928</i>
31/08/2012	Local Law Amendment	1	City of Vincent Dogs Amendment Local Law No. 2, 2012 - <i>Approved by Council at the Ordinary Meeting of Council held on 28 August 2012</i>

9.5.2 Loftus Recreation Centre Management Committee – Receiving of Unconfirmed Minutes

Ward:	North	Date:	31 August 2012
Precinct:	Leederville	File Ref:	PRO3549
Attachments:	001 – Loftus Recreation Centre Management Committee Minutes		
Tabled Items:	-		
Reporting Officer:	M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **RECEIVES** the Unconfirmed Minutes of the Loftus Recreation Centre Management Committee Meeting held on 16 August 2012 as shown in Appendix 9.5.2.

COUNCIL DECISION ITEM 9.5.2

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the Loftus Recreation Centre Management Committee meeting held on the 16 August 2012.

BACKGROUND:

At the Ordinary Meeting of Council held on 19 December 2006, the Council approved of a Management Committee for the Loftus Recreation Centre, as follows;

“That the Council APPROVES BY AN ABSOLUTE MAJORITY;

- (i) pursuant to Section 5.9(2)(c) of the Local Government Act 1995, to establish a Committee to supervise the Loftus Recreation Centre, 99 Loftus Street, Leederville;*
- (ii) in accordance with the Deed of Contract between the Town and Belgravia Leisure Pty Ltd, to APPOINT the Chief Executive Officer and Executive Manager Corporate Services, with the Manager Community Development as Deputy to both, to the Committee; and*
- (iii) to delegate the following functions to the Committee;*
 - (a) to supervise the performance of the Services by the Contractor and to ensure that the Contractor performs the Services in accordance with the KPIs and the Contract;*
 - (b) to establish and review the Key Performance Indicators (KPIs) in conjunction with the Contractor;*
 - (c) to receive and consider Performance Reports;*
 - (d) to advise the Town on Capital Improvements required for the Recreation Centre and the Premises and to make recommendations to the Town about the use of the Reserve Fund; and*
 - (e) to review the Risk Management Plan for the Premises.”*

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

It is the City's practice that Committee Meeting Minutes be reported to the Council.

RISK MANAGEMENT IMPLICATIONS:

Low: It is a statutory requirement to report on the minutes of the Council's Committee meetings.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Plan 2011-2016:

Key Result Area Four - "*Leadership, Governance and Management*", in particular,

"4.1.2 - *Manage the Organisation in a responsible, efficient and accountable manner.*"

SUSTAINABILITY IMPLICATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

The reporting of the City's Committee Minutes to the Council Meeting is in keeping with the Local Government Act (1995) P and its regulations.

9.5.4 Information Bulletin

Ward:	-	Date:	31 August 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 11 September 2012, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.4

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (9-0)

DETAILS:

The items included in the Information Bulletin dated 11 September 2012 are as follows:

ITEM	DESCRIPTION	PAGE
IB01	Letter from Department of Immigration and Citizenship regarding the Final Report on the Access and Equity for a Multicultural Australia.	1
IB02	Letter from the Minister for Local Government; Heritage; Citizenship and Multicultural Interests regarding Selected 2011 Census Data on Cultural and Linguistic Diversity in WA and Snapshot of the Vincent Local Government Area	2
IB03	Register of Petitions – Progress Report – September 2012	4
IB04	Register of Notices of Motion – Progress Report – September 2012	5
IB05	Register of Reports to be Actioned – Progress Report – September 2012	7
IB06	Register of Legal Action (Confidential – Council Members Only) – Monthly Report (September 2012)	15
IB07	Register of State Administrative Tribunal Appeals – Progress Report – September 2012	16
IB08	Register of Applications Referred to the Design Advisory Committee – August 2012	17
IB09	Register of Applications Referred to the MetroWest Development Assessment Panel – August 2012	23
IB10	Forum Notes – 21 August 2012	24
IB11	Notice of Forum – 18 September 2012	25
IB12	Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 23 August 2012	30
IB13	Letter from ICLEI regarding Milestone 2 Achievement (Corporate and Community)	50

9.1.5 No. 116 (Lots 408; D/P 39280) Angove Street, North Perth - Proposed Change of Use from Single House to Office

Ward:	North	Date:	31 August 2012
Precinct:	Smith Lake, P6	File Ref:	PRO2039; 5.2012.223.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items	Applicant Submission		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by the applicant, Burgess Design Group, on behalf of the owner, D and D Mossenson, Pecan Nominees Private Limited, for Proposed Change of Use from Single House to Office Building at No. 116 (Lot 408; D/P 1985) Angove Street, North Perth, and as shown on plans stamp dated 25 May 2012, for the following reasons:

1. The development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;
2. The close proximity of Residential Uses;
3. Consideration of the objections received;
4. The non-compliance with the City’s Policy No. 3.4.3 relating to Non-Residential Development Interface; and
5. The non-compliance with the City’s Economic Development Strategy.

PROCEDURAL MOTION

Moved Cr McGrath, **Seconded** Cr Buckels

That the item be DEFERRED at the request of the Applicant, in order to allow the Applicant time to revise their Development Application.

Cr Carey departed the Chamber at 6.33pm.

Cr Carey returned to the Chamber at 6.34pm.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

Landowner:	D and D Mossenson, Pecan Nominees Private Limited
Applicant:	Burgess Design Group
Zoning:	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Office Building
Use Classification:	“SA”
Lot Area:	419 square metres
Access to Right of Way	Not Applicable

PURPOSE OF REPORT:

The matter is reported to the Council given an Office is a “SA” use in a residential zone.

BACKGROUND:

Nil

DETAILS:

The proposal involves a change of use from an existing single house to an office building.

The applicant provided the following justification for the application:

“The change of use will have minimal impact, if any on the amenity of the locality or the established residential character of the locality.

The high standard heritage building and front façade, which is in keeping with the general style and character of the surrounding residential homes, will remain unchanged. The proposed new use will ensure the protection of the style of the building from modification, helping prevent alterations and additions from residents wanting to renovate and modernise the front façade.

The change of use to “office” will produce additional day time activity providing increased passive surveillance for the immediate interface with the residential area.

The site complies with the Parking and Access Policy 3.7.1. Additionally the site’s location, being in close proximity to the public transport routes, also provides the opportunity for workers to find alternative means of transport to work. The site is within 150m of the Perth Bicycle Network (PBN) route NE1 and with the inclusion of bicycle parking on site, there will be further justification for sustainable methods of transport to be used by the office workers.

The site’s close proximity to the Local Centre at the intersection of Charles Street, Scarborough Beach Road and Angove Street ideally allows it to form part of the commercial residential fringe along Angove Street, providing a transitional area between commercial and residential land uses. In addition the increased activity produced by the office use will increase the general foot traffic in the area which is currently dominated by car based activities, in turn encouraging a more village like feel in the area.”

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		
Building Storeys	N/A		
Access & Parking	✓		

Car Parking

Car Parking	
Car parking requirement (nearest whole number)	= 3 car bays
Office Building – 1 space per 50 square metres of gross floor area- 133 square metres = 2.66 car bays	
Total car bays required = 2.66 car bays = 3 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/station) • 0.95 (the proposed development is within 400 metres of one or more existing public car parking in excess of a total of 25 car parking spaces) • 0.9 (the proposed development provides end of trip facilities in addition to that required by the bicycle parking requirements table) 	(0.7267) = 2.18 car bays
Minus the car parking provided on-site	2 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant Shortfall	0.18 car bays

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	10 July 2012 to 30 July 2012
Comments Received:	Three objections and one support were received.

The letter of support states the following:

“There is significant commercial activity one house away, and behind the property. A commercial building has just been lost to the area by conversion to residence.”

The objections are summarised below:

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Car Parking</p> <p>There is already limited available parking in the area. The proposed office will exacerbate the parking issue in the area.</p>	<p>Support in part. As outlined in the Car Parking Table Assessment, the shortfall of parking will be 0.18 car bays which generally can be supported. However, it is recognised that the proposed office will generate traffic which will impact on the amenity of the adjoining residential area.</p>
<p>Issue: Encroachment of Commercial Development</p> <p>While both ends of Angove Street are designated for commercial uses, this proposal (commercial) will encroach in the residential area which will be out of character with the area.</p>	<p>Supported. Refer to the “Comments” section.</p>
<p>Issue: Planning Application</p> <p>It is noted that the City is processing another application for Change of Use from a Single House to Office Building at No. 103 Angove Street, North Perth. If the City supports this application and the other application at No. 103 Angove Street, these businesses will indelibly change the landscape of Angove Street.</p>	<p>Noted. Each planning application is assessed on its individual merits.</p>
<p>Issue: City of Vincent Economic Development Strategy</p> <p>The proposed development is contrary to the City’s Economic Development Strategy to retain commercial developments within designated commercial areas.</p>	<p>Supported. Refer to “Comments” section.</p>
<p>Issue; Benefits to the area</p> <p>There are no perceived benefits from this proposal and mainly demonstrate negative impacts to residents.</p>	<p>Noted. Refer to “Comments” section.</p>

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

The applicant has provided the following response to the objections:

"The site is within close proximity to the 'Local Centre' zone, which is located at the intersection of Charles Street, Scarborough Beach Road and Angove Street. The proposed 'Office' use allows a transition between the commercial and residential land uses between the commercial activity on the southern end of Angove Street and that on Charles Street/Scarborough Beach Road.

There is no parking shortfall of the proposed development. 0.18 car bay is not considered as a shortfall/variation and therefore is not relevant.

Whilst the subject site is within a residential locality, Angove Street itself is predominately commercial uses. An 'Office' use will cause no detriment to residents given its operational hours of 8am-5pm weekdays only. Therefore the 'Office' will not be in use after hours or on the weekend, causing minimal, if any impact on the residents.

An 'Office' use will not have a negative impact on the residents as there will be no external activity on Farmer Street or Angove Street that will impact the residents."

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 application proposes office within an existing building. Accordingly, it is considered the proposal has a lower environmental impact compared to constructing a new building for this purpose.	
SOCIAL	
Issue	Comment
The application may provide employment for local people.	
ECONOMIC	
Issue	Comment
The proposed office building may provide services beneficial to the local community.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Heritage

The subject place at No. 116 Angove Street, North Perth, is listed on the City's Municipal Heritage Inventory as Management Category of B – Conservation Recommended.

The proposal involves change of use of the heritage listed single house to office building. It is noted that the application does not involve any alterations and additions including signage.

In accordance with the City's Policy No. 3.6.1 relating to Heritage Management – Development Guidelines for Heritage and Adjacent Properties, it is considered that the proposed works require minimal alteration to the original fabric. Given this, it is considered that the proposed works will have no adverse impact on the heritage listed building and will ensure the continued use of the subject property.

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

Planning

The purpose of the City's Non-Residential/Residential Development Interface Policy No. 3.4.3 is to protect and enhance the amenity and general environment standards of existing and future development within and adjoining both residential and non-residential areas by providing clear guidance with respect to what is considered desirable and acceptable development.

The applicant argues that the subject site is a buffer site as defined in Clause (ii) of the City's Non-Residential/Residential Development Interface Policy No. 3.4.3, "*a buffer site is the lot (or lots) that abuts one another separating one zone from the other*". The City does not however consider the site as a buffer site, as on the western side of the subject site it is separated from the commercial zone by a residence. Therefore the site does not abut a commercial zone and cannot be considered as a buffer site.

Approval of the proposed development would create an undesirable precedent for further encroachment of commercial uses into residential areas. The proposed office use is not considered to serve the day-to-day needs of local residents and is considered more appropriate in areas which have been appropriately zoned and developed for such uses, namely the City's commercial centres.

Furthermore, the proposal is inconsistent with the objectives of the City's Economic Development Strategy, which aims to condense commercial type activities within Local Centres, District Centres or Commercial zoned areas in order to capitalise upon co-locational benefits and increase the viability of the City's commercial centres.

The proposed change of use from a residential dwelling to an office does cause a potentially greater undue amenity impact on the nearby residential dwellings due to increased noise, illumination and traffic as a result of the increased number of patrons accessing the property on a regular basis. Therefore, the potential undue amenity impact will be in excess of that of a normal residential dwelling.

In light of the above, it is recommended that the application be refused as per the Officer Recommendation.

9.1.4 No. 5 (Lots 13 and 14) Scott Street, Leederville - Proposed Demolition of Existing Single House and Construction of Two (2) Grouped Dwellings and Two (2), Two Storey Buildings Comprising Four (4) Single Bedroom Multiple Dwellings, Two (2) Multiple Dwellings and Associated Car Parking

Ward:	South	Date:	31 August 2012
Precinct:	Leederville; P3	File Ref:	PRO4106; 5.2012.234.1
Attachments:	001 – Property Information Report, Development Application Plans and Heritage Assessment 002 – Indicative Landscaping Plans and Coloured Elevations		
Tabled Items	Applicant's Submission		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Gary Batt & Associates on behalf of the owner D De Fiddes for Proposed Demolition of Existing Single House and Construction of Two (2) Grouped Dwellings and Two (2), Two Storey Buildings Comprising Four (4) Single Bedroom Multiple Dwellings, Two (2) Multiple Dwellings and Associated Car Parking at No. 5 (Lots 13 and 14) Scott Street, Leederville and as shown on amended plans stamp-dated 24 August 2012, 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 Scott Street;
2. Any new street/front wall, fence and gate within the Scott Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
4. 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;
5. Subject to first obtaining the consent of the owners of Nos. 10 and 12 Burgess Street and Nos. 3 and 9 Scott Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 10 and 12 Burgess Street and Nos. 3 and 9 Scott Street in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;
6. PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:
 - 6.1 Section 70 A Notification under the Transfer of Land Act
 The owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

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

6.1.2 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units as at the time of assessment, the on-site car parking was in accordance with the requirements of the Residential Design Codes and the City's Policy No. 3.7.1 relating to Parking and Access.

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

6.2 Construction Management Plan

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

6.3 Schedule of External Finishes

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

6.4 Landscape and Reticulation Plan

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

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

6.4.1 Provision of increased soft landscaping of ten (10) percent of the total site common areas with a view to significantly reduce areas of hardstand and paving;

6.4.2 the location and type of existing and proposed trees and plants;

6.4.3 all vegetation including lawns;

6.4.4 areas to be irrigated or reticulated;

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

6.4.6 separate soft and hard landscaping plans (indicating details of plant species and materials to be used); and

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

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

6.5 Amalgamation

Prior to the issue of a Building Licence, the subject Lots 13 and 14 shall be amalgamated into one lot on one Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the City, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the City's

solicitors or other solicitors agreed upon by the City, undertaking to amalgamate and subdivide the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);

6.6 Privacy

Revised plans shall be submitted to and approved by the City demonstrating the following:

- 6.6.1 balcony to unit 3 on the western elevation;
- 6.6.2 window to living room to unit 3 on the northern elevation;
- 6.6.3 window to bedroom to unit 4 on the eastern elevation;
- 6.6.4 window to bedroom to unit 5 on the eastern elevation;
- 6.6.5 balcony to unit 6 on the western elevation;
- 6.6.6 window to living room to unit 6 on the southern elevation; and
- 6.6.7 window to sitting room to house 1 on the northern elevation;

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the lodgement of a Building Permit application, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes; The Council encourages landscaping methods and species selection which do not rely on reticulation.

6.7 Bond

A Road and Verge security bond for the sum of \$2,500 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Director Technical Services. An application for the refund of the security bond shall be made in writing. The bond is non-transferable; and

6.8 Pedestrian Access

All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and road levels to the satisfaction of the City's Technical Services Directorate; and

6.9 Crossovers

An application for a crossover is to be submitted to, and approved by the City's Technical Services. Any redundant or "blind" crossovers shall be removed and the verge and kerb made good to the satisfaction of the City's Technical Services Directorate, at the applicant/owner's full expense; and

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

7.1 Car Parking

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

7.2 Clothes Dryer

Each multiple dwelling shall be provided with a screened outdoor area for clothes drying; and

7.3 Residential Car Bays

A minimum of six (6) and two (2) car bays shall be provided for the residents and visitors of the multiple dwellings respectively. The eight (8) car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development; and

7.4 Visitor Bays

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

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

COUNCIL DECISION ITEM 9.1.4

Moved Cr Buckels, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

Landowner:	D De Fiddes
Applicant:	Gary Batt & Associates
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R40
Existing Land Use:	Single House
Use Class:	Multiple Dwelling, Grouped Dwelling
Use Classification:	"P"
Lot Area:	607m ²
Right of Way:	Not Applicable.

PURPOSE OF REPORT:

Development Applications for four (4) or more dwellings are required to be considered by the Council.

BACKGROUND:

Date	Comment
21 October 2008	The Council at its Ordinary Meeting, at the applicant's request, deferred the application for demolition of existing single house and construction of four (4) three-storey grouped dwellings and two (2) single bedroom two-storey grouped dwellings.
18 November 2008	The Council conditionally approved the demolition of existing single house and construction of four (4) three-storey grouped dwellings and two (2) single bedroom two-storey grouped dwellings.

DETAILS:

The proposal involves the proposed demolition of existing single house and construction of two (2) grouped dwellings and two (2), two storey buildings comprising four (4) single bedroom multiple dwellings, two (2) multiple dwellings and associated car parking.

On 11 August 2011, the applicant submitted an application for demolition of existing single house and construction of a three storey building for eight aged or dependent person's multiple dwellings. Following advertising, and in view of the objections received from the adjoining neighbours, and the advice received from the City's Officers, the applicant withdrew the application.

ASSESSMENT:

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

Design Element	Complies 'Acceptable Development'	OR	'Performance Criteria' Assessment	Comment
Plot Ratio	✓			
Front Setback			✓	
Building Setbacks			✓	
Boundary Wall			✓	
Building Height			✓	
Roof Forms			✓	
Open Space	✓			
Access	✓			
Car Parking	✓			
Bicycle Parking	✓			
Privacy			✓	
Solar Access	✓			

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

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

Issue/Design Element:	Front Setback
Requirement:	<p>Residential Design Elements SADC 5</p> <p>Ground Floor = 4.835 metres</p> <p>First Floor</p> <p>Balcony= 5.835 metres</p> <p>Building= 6.835 metres</p>
Applicants Proposal:	<p>Ground Floor = 3.1 metres to 5.2 metres</p> <p>First Floor:</p> <p>Balcony= 3.1 metres</p> <p>Building= 5.24 metres</p>
Performance Criteria:	<p>Residential Design Elements SPC 5</p> <p>Development is to be appropriately located on site to:</p> <ul style="list-style-type: none"> • Maintain streetscape character; • Ensure the amenity of neighbouring properties is maintained; • Allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • Facilitate solar access for the development site and adjoining properties; • Protect significant vegetation; and • Facilitate efficient use of the site.

Issue/Design Element:	Front Setback
	<p>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>
<p>Applicant's Justification Summary:</p>	<p><i>This proposal will maintain the façade and rhythm of the street which is mostly single dwellings. The homes are contemporary in nature but with a front veranda and low fencing so that they integrate with the more traditional elements of existing houses on Scott Street. This is sympathetic to the streetscape and facilitates community interaction which is important to the surrounding residents. A single crossover will be maintained and all verge trees will be preserved</i></p>
<p>Officer technical comment:</p>	<ul style="list-style-type: none"> • The proposed street setbacks are considered supportable in this instance as they maintain the streetscape character and the amenity of the adjoining properties as the two corner sites along the north and southern sides of the street have nil setbacks and one of the single house is setback 4 metres from the street. • It is noted the ground floor varies from 3.1 metres to 5.2 metres which it is considered will not have an undue impact on the existing open streetscape along Scott Street as the buildings are not set close to the street. • The first floor is located directly above the lower floor; the presence of open balconies in this area assists the reduction of bulk to the street and is consistent with maintaining an open streetscape. The upper floor incorporates articulation with open balcony, staggering of the wall, varying materials which minimise the impact on the streetscape and the lesser setback is integral to the contemporary design of the development. • It is also considered the use of vehicular access and parking to the rear of the site, whilst necessitating the design of the building forward of the required front setback, facilitates the most effective layout of uses on the site. The front setback area is proposed to be landscaped accordingly.

Issue/Design Element:	Building Setbacks
<p>Requirement:</p>	<p>Residential Design Codes Clause 6.3.1 A1</p> <p>Lot 3- Multiple Dwellings</p> <p>Ground Floor</p> <p>Western boundary= 1 metre</p> <p>First Floor</p> <p>Southern and northern boundaries = 2.1 metres</p>

Issue/Design Element:	Building Setbacks
	<p>Western boundary= 4.9 metres</p> <p>Lot 1- Grouped Dwelling</p> <p>Ground Floor</p> <p>Southern boundary= 1.5 metres</p> <p>First Floor</p> <p>Southern boundary= 2 metres</p> <p>Lot 2- Grouped Dwelling</p> <p>Ground Floor</p> <p>Northern boundary= 1.5 metres</p> <p>First Floor</p> <p>Northern boundary= 2.2 metres</p>
Applicants Proposal:	<p>Lot 3- Multiple Dwellings</p> <p>Ground Floor</p> <p>Western boundary = 0.9 metre</p> <p>First Floor</p> <p>Southern and northern boundaries = 1.8 metres to 3 metres</p> <p>Western boundary= 3.6 metres to 6 metres</p> <p>Lot 1- Grouped Dwelling</p> <p>Ground Floor</p> <p>Southern boundary= 1 metre to 2.25 metres</p> <p>First Floor</p> <p>Southern boundary= 1 metre to 1.9 metres</p> <p>Lot 2- Grouped Dwelling</p> <p>Ground Floor</p> <p>Northern boundary= 1 metre to 2.25 metres</p> <p>First Floor</p> <p>Northern boundary= Nil to 2.25 metres</p>
Performance Criteria:	<p>Residential Design Codes Clause 6.3.1 P1</p> <p>Buildings setback from boundaries other than street boundaries so as to:</p> <ul style="list-style-type: none"> • provide adequate direct sun and ventilation to the building; • ensure adequate direct sun and ventilation being available to adjoining properties;

Issue/Design Element:	Building Setbacks
	<ul style="list-style-type: none"> • provide adequate direct sun to the building and appurtenant open spaces; • assist with protection of access to direct sun for adjoining properties; • assist in ameliorating the impacts of building bulk on adjoining properties; and • assist in protecting privacy between adjoining properties.
Applicant's Justification Summary:	<i>No specific justification provided by the applicant</i>
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The staggered nature of the development from the side/rear boundaries, allows for the provision of adequate daylight, direct sun and ventilation to the proposed dwellings on both the ground and first floors. • The proposed setbacks do not vary significantly from the required setbacks. Therefore it is considered there will no undue impact on the adjoining properties in terms sunlight and ventilation. • The staggering of setbacks that have been provided to the ground and first floors along the southern, northern and western facades allow for a reduction in building bulk to the adjoining properties. • The provision of screening and obscure windows along all facades allows for the retention of privacy to the adjoining property owners from all the dwellings proposed. • The adjoining neighbours to the subject site did not object to the setback variations.

Issue/Design Element:	Boundary Wall
Requirement:	<p>Residential Design Codes Clause 6.3.2 A2 Walls not higher than 3.5 metres with an average of 3 metres for two-thirds the length of the balance of the boundary behind the front setback, to one side boundary only.</p>
Applicants Proposal:	<p>Three (3) Boundary Walls.</p> <p><u>Northern and southern boundary walls</u></p> <p>Average Height= 3.2 metres</p> <p><u>Western boundary wall</u></p> <p>Maximum and average heights = 3.6 metres</p>
Performance Criteria:	<p>Residential Design Codes Clause 6.3.2 P2 Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:</p> <ul style="list-style-type: none"> • make effective use of space; or • enhance privacy; or • otherwise enhance the amenity of the development; • not have any significant adverse effect on the amenity of the adjoining property; and • ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.

Issue/Design Element:		Boundary Wall
Applicant's Justification Summary:		<i>No specific justification provided by the applicant</i>
Officer Technical Comment		The proposed development is considered to comply with the Performance Criteria provisions in this instance as the proposal makes effective use of space, with the proposed boundary walls not occupying the full extent of boundaries; no objections were received by the adjoining neighbours living next to the subject site with respect to the boundary walls.

Issue/Design Element:		Building Height
Requirement:		Residential Design Elements BDADC 5 Two storeys plus loft. Top of external wall (concealed roof): 7.0 metres.
Applicants Proposal:		Stair-well and shade sail posts= 9 metres
Performance Criteria:		Residential Design Elements BDPC 5 Building height is to be considered to: <ul style="list-style-type: none"> • Limit the height of dwellings so that no individual dwelling dominates the streetscape; • Limit the extent of overshadowing and visual intrusion on private space of neighbouring properties; and • Maintain the character and integrity of the existing streetscape.
Applicant's Justification Summary:		<i>No specific justification provided by the applicant</i>
Officer technical comment:		The proposed development is considered to comply with the performance criteria in this instance for the following reasons: <ul style="list-style-type: none"> • Generally the proposed buildings comply with the required 7 metres height except the stair well and shade sails. • The stair well and shade sails will not occupy the whole roof area of the site and are setback significantly from the side/rear boundaries which minimise any visual impact on the adjoining properties. • If the proposal were a building with a pitched roof, the acceptable height would be 9 metres. Therefore the stair-well and shade sails will not have any visual impact on the adjoining properties. • The proposed height is in response to a need for the stair-well to provide more light to the dwellings and allowing access to the roof garden. The shade sail will provide shade to the roof garden during summer time.

Issue/Design Element:		Roof Forms
Requirement:		Residential Design Elements Clause 7.4.3 BDADC 3 Roof Pitch to be 30 - 45 degrees
Applicants Proposal:		Concealed Roof
Performance Criteria:		Residential Design Elements Clause 7.4.3 BDPC 3 The roof of a building is to be designed so that: <ul style="list-style-type: none"> • <i>It does not unduly increase the bulk of the building;</i> • <i>In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and</i> • <i>It does not cause undue overshadowing of adjacent properties and open space.</i>
Applicant's Justification Summary:		<i>No specific justification provided by the applicant.</i>
Officer technical comment:		The proposed roofing is considered to comply with the

Issue/Design Element:	Roof Forms
	<p>Performance Criteria of Clause 7.4.3 <i>Roof Forms</i>:</p> <ul style="list-style-type: none"> • The proposed roofing is contemporary in nature, and it is argued that the height and bulk of the structure with a skillion roof is less bulky and of a lesser height than what would be allowed if the development were of a pitched roof design. • It is also noted that any overshadowing proposed would be of a greater degree and impact if the development were of a pitched roof format rather than skillion.

Issue/Design Element:	Dividing Fence
Requirement:	Local Law – 1.8 metres height
Applicants Proposal:	2.8 metres to 2.2 metres
Performance Criteria:	Not applicable
Applicant's Justification Summary:	<i>No specific justification provided by the applicant.</i>
Officer technical comment:	The Design Advisory Committee (DAC) recommended that the wall to the courtyard area be 2.4 metres in height. The applicant submitted amended plans showing walls of 2.2 metres to the courtyard area and the remaining height of the fence is 1.8 metres which is in accordance with the advice received from the DAC.

Issue/Design Element:	Visual Privacy
Requirement:	<p>R-Codes Clause 6.8.1 A1 Balconies – 7.5 metres Cone of Vision Privacy Setback Living Room – 6 metres Cone of Vision Privacy Setback Bedroom – 4.5 metres Cone of Vision Privacy Setback</p>
Applicants Proposal:	<p>Unit 3</p> <p>Balcony on the western elevation – 2.7 metres to the northern boundary.</p> <p>Window to living room on the northern elevation – 3 metres to the northern boundary.</p> <p>Unit 4</p> <p>Window to bedroom on the eastern elevation – 3.7 metres to the northern boundary.</p> <p>Unit 5</p> <p>Window to bedroom on the eastern elevation – 3.7 metres to the southern boundary.</p> <p>Unit 6</p> <p>Balcony on the western elevation – 2.7 metres to the southern boundary.</p> <p>Window to the living room on the southern elevation – 3 metres to the southern boundary.</p> <p>House 1</p> <p>Sitting Room on the northern elevation – 3.11 metres to the</p>

Issue/Design Element:	Visual Privacy
	northern boundary.
Performance Criteria:	<p>R-Codes Clause 6.8.1 P1 Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.</p> <p>Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.</p> <p>Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.</p> <p>Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.</p>
Applicant's Justification Summary:	<i>No specific justification provided by the applicant.</i>
Officer technical comment:	Variations not supported. If this application is supported, all openings discussed above will be required to be screened.

Car Parking

The car parking required for the proposed multiple dwellings is calculated as per the R-Codes 2010.

Car Parking	
Small Multiple Dwelling based on size (<75 square meters or 1 bedroom) - 1 bay per dwelling (6 multiple dwellings) = 6 car bays	8 car bays
Visitors = 0.25 per dwelling (6 multiple dwellings proposed) = 1.5 car bays = 2 car bays	
Total car bays required = 8 car bays	
Total car bays provided	8 car bays
Surplus/Shortfall	Nil

Bicycle Parking	
Bicycle Parking	<ul style="list-style-type: none"> • 1 bicycle space to each 3 dwellings for residents and 1 bicycle space to each 10 dwellings for visitors (total 7 dwellings proposed): 2 bicycle bays for the residents. • 1 Bicycle space per 10 dwellings: Nil bicycle space required
	2 bicycle bays are provided

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
Comments Period:	6 July 2012 to 19 July 2012		
Comments Received:	Three objections were received		

It is noted that there were variations to the open space, area of balconies, bicycle parking, street walls and fences when the application was advertised. The applicant has however submitted amended plans to comply with these requirements.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: High Density Development</p> <ul style="list-style-type: none"> The proposal is of a high density nature which will be out of character with the area. 	<p>Dismiss. The Residential Design Codes 2010 permit multiple dwellings in a Residential R40 zone subject to the City being satisfied that there will be no undue impact on the adjoining properties. The proposed multiple dwellings comply with the required plot ratio. In addition the design has 2 dwellings presenting to the street.</p>
<p>Issue: Street Walls and Fences</p> <ul style="list-style-type: none"> <i>“Solid front brick wall is not conducive to a single/duplex residential street.”</i> 	<p>Noted. Applicant submitted plans which show the front fences complying with the requirements of the City of an open nature.</p>
<p>Issue: Building Height</p> <ul style="list-style-type: none"> <i>“The shade sails will stand out and will not fit the streetscape or complement the street.”</i> 	<p>Noted and addressed. The applicant has submitted amended plans reducing the shade sails height from 9.6 metres to 9 metres. Refer to Assessment Table.</p>
<p>Issue: Car Parking</p> <ul style="list-style-type: none"> The number of car bays is not stated in the advertising form. There are already parking issues along Scott Street and the proposed development will exacerbate this issue. The car parking will detract the exiting streetscape. 	<p>Dismiss. The proposal complies with the parking requirements and in this instance car parking was not advertised as a variation. The residents and visitors will be required to park within the approved parking bays. Moreover given the proposal complies with the parking requirements it is considered there will be no impact on street parking. The parking bays are not located within the front setback and therefore there will be no impact on the streetscape.</p>
<p>Issue: Concealed Roof</p> <ul style="list-style-type: none"> The proposed concealed roof will not complement the streetscape character. 	<p>Dismiss. Refer to Assessment Table above.</p>

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:

- Demonstrate overshadowing conforms.*
- Add dimensions to drawings.*
- Clarify selected building materials and construction systems, update wall thicknesses to reflect the selected construction system/s*
- Increase courtyard wall heights to 2.2m to improve privacy to occupants and neighbours.*
- Increase the size of the main light-well, consider a larger oval shape and delete the small light wells.*
- Address the fire separation of the bedroom windows and adjacent boundary; and*
- Demonstrate turning circles for vehicles.*

The applicant provided the following response:

1. *Demonstrate overshadowing conforms.
Please see SK1 – Overshadowing is 205.5m² = 33.8% of adjacent site. Therefore complies with maximum 35% overshadowing requirement.*
2. *Add dimensions to drawings.
Please see SK1*
3. *Clarify selected building materials and construction systems, update wall thicknesses to reflect the selected construction system/s.
Please see SK4& SK5*
4. *Increase courtyard wall heights to 2.2m to improve privacy to occupants and neighbours.
Please see SK4& SK5*
5. *Increase the size of the main light-well, consider a larger oval shape and delete the small light wells.
Light well could not be increased due to maximum escape distances required between first floor apartments and Stair well. We considered the recommendation to be related to the amenity of light at Ground level. We have made provision to use a translucent flooring material around the stair well on the first level to allow additional light to permeate down to the Ground floor.*
6. *Address the fire separation of the bedroom windows and adjacent boundary.
All windows within 3 metres of boundary will be protected in accordance with Part C3.4 of Nation Construction code. Windows that are required to be protected shall either be:*
 - *Fixed or Self Closing with a wall wetting drencher located above, or*
 - *Have glazing that achieves a Minimum FRL of -/60/-, or*
 - *Have self-closing shutter with minimum FRL of -/60/-; and*
7. *Demonstrate turning circles for vehicles.
Please see attached SK1*

The submitted plans were not referred to the Design Advisory Committee (DAC) as it was considered the applicant had generally addressed the recommendations of the DAC.

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 introduction into the design of a light – well opening to the roof space may reduce the reliance on artificial heating, lighting and cooling.	
SOCIAL	
Issue	Comment
The proposed multiple dwellings and grouped dwellings will provide the opportunity for greater housing choice within the City.	
ECONOMIC	
Issue	Comment
The construction of the building will provide short term employment opportunities.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Demolition

The subject place at No. 5 Scott Street, Leederville is a brick and tile Federation Bungalow with Inter-war influences built circa 1910. The dwelling is constructed on limestone footings and has a hipped-gable roof form with a front gable with timber battens over the front protruding room. The front facade of the dwelling features brickwork to sill height and is rendered above. Distinct stone banding is featured along the brickwork and on the render above.

The dwelling sits across two lots positioned mostly on the southern lot with the northern lot accommodating expansive lawn and a brick garage with a gabled roof to the rear. Evidence indicates that the dwelling was one of the first constructed in Scott Street and was first occupied by Mr H Groth. Mr Francis Lawrence is listed as occupying the dwelling throughout the 1930s. Mr Tony Maiorana was in residence in the 1940s and believed to also be the owner at that time as two City of Perth Building Licences were issued to Mr Maiorana for alterations and additions in 1945 and 1948 respectively.

A full heritage assessment was undertaken for No. 5 Scott Street, Leederville in 2008, and an updated external inspection was undertaken on 1 March 2012, which indicate that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the City's Policy No. 3.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory.

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

Planning

It is considered that the development is consistent with the general intention for the area in terms of bulk and scale. Furthermore, the inclusion in the design of a light well, roof terrace and additional features such as landscaping across the site, will not only enable the development to be more useable in terms of living but also the scale of the development to integrate well with the existing streetscape along Scott Street. Further, the placement of parking to the rear of the site allows for greater street interaction and passive surveillance from the building and an improved residential appearance of the development.

In light of the above, the development is considered to be supportable subject to the standard and appropriate conditions.

9.1.3 No. 258 (Lot 801 ; D/P 39919) Charles Street, North Perth - Proposed Demolition of Existing Single House and Construction of Three (3) Storey Building comprising Eighteen (18) Multiple Dwellings and Associated Basement Car Parking

Ward:	South	Date:	31 August 2012
Precinct:	Smith Lake; P6	File Ref:	PRO5390; 5.2012.242.1
Attachments:	001 – Property Information Report, Development Application Plans and Heritage Assessment		
Tabled Items	Applicant's Submission		
Reporting Officers:	Remajee Narroo, Senior Planning Officer (Statutory); and H Au, Heritage Officer		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **RECOMMENDS APPROVAL** to the Western Australian Planning Commission for the application submitted by JM Thompson, on behalf of the owner, Jedan Pty Ltd, for Proposed Demolition of Existing Single House and Construction of Three (3) Storey Building comprising Eighteen (18) Multiple Dwellings and Associated Basement Car Parking at No. 258 (Lot 801 ; D/P 39919) Charles Street, North Perth and as shown on amended plans stamp-dated 1 June 2012 and amended plans stamp-dated 21 August 2012 and 24 August 2012, 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 Charles Street;
2. Any new street/front wall, fence and gate within the Charles Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
4. Subject to first obtaining the consent of the owners of No. 262 Charles Street, North Perth for entry onto their land, the owners of the subject land shall finish and maintain the surface of the retaining wall facing No. 262 Charles Street in a good and clean condition;
5. The car park shall be used only by residents, tenants, and visitors directly associated with the development;
6. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION**, the following shall be submitted to and approved by the City:

6.1 Section 70 A Notification under the Transfer of Land Act

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

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

6.1.2 the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units as at the time of assessment, the on-site car parking was in accordance with the requirements of the Residential Design Codes and the City's Policy No. 3.7.1 relating to Parking and Access.

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

6.2 Construction Management Plan

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

6.3 Schedule of External Finishes

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

6.4 Landscape and Reticulation Plan

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

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

- 6.4.1 Provision of increased soft landscaping of ten (10) percent of the total site common areas with a view to significantly reduce areas of hardstand and paving;
- 6.4.2 the location and type of existing and proposed trees and plants;
- 6.4.3 all vegetation including lawns;
- 6.4.4 areas to be irrigated or reticulated;
- 6.4.5 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 6.4.6 separate soft and hard landscaping plans (indicating details of plant species and materials to be used); and

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);

6.5 Privacy

Revised plans shall be submitted to and approved by the City demonstrating the following:

7.5.1 the outdoor area to unit 2 on the western elevation; and

7.5.2 the outdoor area to unit 4 on the western elevation;

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the lodgement of a Building Permit application, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes;

6.6 Refuse and Recycling Management Plan

Bin numbers, collection and stores shall meet with the City's minimum service provision;

6.7 Underground Power

The developer is required to underground the existing overhead power lines across the Charles Street frontage of the development at the developer's expense;

6.8 Crossover

An application for a crossover is to be submitted to, and approved by the City's Technical Services;

6.9 Relocation/Replacement of Verge Tree

A non-refundable fee of \$1600 for the removal or possible relocation/replacement of one (1) verge tree to permit the construction of a crossover is to be paid in full; and

6.10 Road Verge

The Road verge area to be graded in accordance with the City's Technical Services requirements at the applicant cost;

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

7.1 Car Parking

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

7.2 Clothes Dryer

Each multiple dwelling shall be provided with a screened outdoor area for clothes drying;

7.3 Residential Car Bays

A minimum of sixteen (16) and five (5) car bays shall be provided for the residents and visitors respectively. The five (5) car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

7.4 Visitor Bays

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

7.5 Bicycle Parking

Six (6) and one (1) bicycle bays for the residents and visitors of the development shall be provided;

8. Main Roads WA Conditions

8.1 No earthworks shall encroach onto the Charles Street reserve;

8.2 No stormwater drainage shall be discharged onto the Charles Street reserve;

8.3 The applicant shall make good any damage to the existing verge vegetation within the Charles Street reservation;

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

8.5 Approval should be sought from the Department of Planning as Charles Street is subject to Planning Control Area number 100;

Advice to Applicant

The applicant must obtain approval from Main Roads before any works are undertaken within the Charles Street road reserve. The applicant seeking access to the Main Roads network will be required to submit an Application as outlined in the "Application Kit and Guidelines" for State Roads;

9. 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.

COUNCIL DECISION ITEM 9.1.3

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Maier, Seconded Cr

That the item be DEFFERRED to allow the applicant to consider whether they wish to alter the mix of unit sizes, in terms of bedroom numbers per unit, before the Council makes a recommendation to the Western Australian Planning Commission.

PROCEDURAL MOTION LAPSED FOR WANT OF A SECONDER

Debate ensued.

MOTION PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath,
Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Maier

Landowner:	Jedan Pty Ltd
Applicant:	JM Thompson
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Multiple Dwelling
Use Classification:	"P"
Lot Area:	1658m ²
Right of Way:	Not Applicable.

PURPOSE OF REPORT:

Development Applications for four (4) or more dwellings and three storey development are required to be considered by the Council.

BACKGROUND:

Date	Comment
8 March 2011	An application was received for the demolition of existing single house and construction of seven (7) double-storey grouped dwellings which was withdrawn by the applicant.

DETAILS:

The proposal involves the proposed demolition of the existing single house and construction of a three storey building comprising eighteen (18) multiple dwellings and basement car parking.

ASSESSMENT:

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

Design Element	Complies 'Acceptable Development'	OR	'Performance Criteria' Assessment	Comment
Plot Ratio			✓	
Front Setback			✓	
Building Setbacks			✓	
Building Height			✓	
Roof Forms			✓	
Open Space	✓			
Access	✓			
Car Parking	✓			
Bicycle Parking	✓			
Privacy			✓	
Solar Access for adjoining sites	✓			
Dwelling Size			✓	

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

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

Issue/Design Element:	Plot Ratio
Requirement:	Residential Design Codes Table 1 Plot Ratio - 0.7 (1160.6m ²)
Applicants Proposal:	(0.91 or 1508.78m ²)
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's Justification Summary:	<i>"The residential development is based on plot ratio of 0.91:1 which would be equivalent to R80 plot ratio. We propose to develop the site to this plot ratio as we see this as an appropriate level of development for this site which sits on a key arterial road with excellent public transport connections. This development seeks to address the future infill needs of the City of Vincent through responsible and</i>

Issue/Design Element:	Plot Ratio
	<i>appropriate architectural design.</i> "
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance as:</p> <ul style="list-style-type: none"> • The proposed building/development is consistent with the current and desired built form of the locality, as the location of the site is within a Residential R60 coded precinct and located along Charles Street; a major arterial road to the city. • The design treatment of the building in terms of articulation, setbacks and façade treatments minimises the bulk of the building on the streetscape and adjoining properties. • The Draft TPS2 is considering greater height and density for lot greater than 1000 square metres; the subject site is 1658 square metres. • The Design Advisory Committee (DAC) were supportive of the plot ratio. • Charles Street is identified as a major road in multiple dwellings policy.

Issue/Design Element:	Front Setback
Requirement:	<p>Residential Design Elements SADC 5</p> <p>Basement and Ground Floor = 6.7 metres</p> <p>First and Second Floors</p> <p>Balcony= 7.7 metres</p> <p>Building = 8.7 metres</p>
Applicants Proposal:	<p>Basement= 3.85 metres</p> <p>Ground Floor = 5.435 metre to 7.251 metres</p> <p>First and second Floors</p> <p>Wall= 5.435 metres</p> <p>Balcony= 7.251 metres</p>
Performance Criteria:	<p>Residential Design Elements SPC 5</p> <p>Development is to be appropriately located on site to:</p> <ul style="list-style-type: none"> • Maintain streetscape character; • Ensure the amenity of neighbouring properties is maintained; • Allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • Facilitate solar access for the development site and adjoining properties; • Protect significant vegetation; and • Facilitate efficient use of the site. <p>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>

Issue/Design Element:	Front Setback
<p>Applicant's Justification Summary:</p>	<p><i>Charles Street is characterised along its length by a diversity of building uses, forms, building heights and setbacks. The street block on which this site is located contains residential development with varying styles, building heights and front and side setbacks, this proposal responds and continues this rhythm of development.</i></p> <p><i>This proposal makes use of the fall across the site to tuck visitor and resident parking in an undercroft and basement configuration at a level which allows for easy vehicular access from Charles Street.</i></p> <p><i>The forward apartment's glass line is setback a minimum of 8.38m from the Charles St. footpath and this setback area contains a series of landscaped terraces and clear pedestrian access points which graduate the threshold from street to building. These forward apartments are screened to the west by a series of vertical and horizontal elements which range from solid to semitransparent; these screen elements mitigate noise and unwanted solar exposure as well as providing security to the balconies of these apartments. These screen elements diminish as you get to the upper floor to reduce the overall bulk of the depth to the elevation allows, combined with the solid and void play on the levels below, creates an articulated frontage.</i></p> <p><i>Beyond these forward apartments lies a slim building envelope located on site to allow for maximum solar exposure to north whilst reducing potential overshadowing and overlooking to the existing building on the south. This placement allows for the building to read as slender as possible when viewed from Charles Street with greater mass tucked into the back of the site where it is less visible.</i></p>
<p>Officer technical comment:</p>	<ul style="list-style-type: none"> • The streetscape along Charles Street is eclectic with some buildings having nil setbacks and other buildings having lesser setbacks than proposed for this development. Moreover, the road widening for lots along this section of Charles Street will result in further interruption of the existing streetscape. • It is noted the street setback for ground, first and second floor varies from 5.435 metres to 7.251 metres which will not have an undue impact on the existing open streetscape along Charles Street. • The first and second floors are located directly above the ground floor however the presence of open balconies facing the street assists the reduction of bulk to the street and is consistent with maintaining an open streetscape. • The building design incorporates significant landscaping reflecting a residential character. • It is also considered that given there will be no car parking within the street setback area the streetscape will maintain a traditional appearance.

Issue/Design Element:	Building Setbacks
Requirement:	<p>Northern Boundary Ground Floor= 1.5 metres First Floor= 3 metres Second Floor= 4.5 metres Southern Boundary Ground Floor= 1.8 metres First Floor= 7.7 metres Second Floor (front part)=9.5 metres Second Floor (rear part)= 8.2 metres Eastern Boundary Second Floor= 2.5 metres</p>
Applicants Proposal:	<p>Northern Boundary Ground Floor= 0.8 metre to 3.1 metres First Floor= 2.8 metres to 3.8 metres Second Floor= 2.8 metres to 3.8 metres Southern Boundary Ground Floor= Nil to 2.8 metres First Floor= 7.5 metres Second Floor (front part)= 7.5 metres Second Floor (rear part)= 6.6 metres to 7.5 metres Eastern Boundary Second Floor= 2.5 metres</p>
Performance Criteria:	<p><u>Residential Design Codes Clause 6.3.1 P1 Clause 7.1.4 P4.1 and P4.2</u> Buildings setback from boundaries other than street boundaries so as to: <ul style="list-style-type: none"> • provide adequate direct sun and ventilation to the building; • ensure adequate direct sun and ventilation being available to adjoining properties; • provide adequate direct sun to the building and appurtenant open spaces; • assist with protection of access to direct sun for adjoining properties; • assist in ameliorating the impacts of building bulk on adjoining properties; and • assist in protecting privacy between adjoining properties. <u>Buildings setback from boundaries or adjacent buildings so as to:</u> <ul style="list-style-type: none"> <u>• ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;</u> <u>• moderate the visual impact of building bulk on a neighbouring property;</u> <u>• ensure access to daylight and direct sun for adjoining properties; and</u> <u>• assist with protection of privacy between adjoining properties.</u> </p>

Issue/Design Element:	Building Setbacks
Applicant's Justification Summary:	<ul style="list-style-type: none"> • majority of units to be single depth to allow cross-ventilation and to reduce overall bulk. • varied use of colour and material elements. • consideration of solar access and outlook. • overlooking setbacks have been adhered to throughout the development. • screen element to the north elevation which provides privacy against overlooking, sun shading and also creates for the City of Vincent an abstracted historical snapshot of land development in the locality (refer to applicant submission).
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The proposed setbacks do not vary significantly from the required setbacks and it is considered there will be no undue impact on the adjoining properties in terms of sunlight and ventilation. • On the northern side ground floor, only the columns to the veranda will be setback to 0.8 metres to a relatively small part of the boundary with the remaining setback is 3.1 metres. The building wall is setback 3.85 metres to 5 metres to the northern boundary. Given the structure to the veranda will be open, the variation to the setback is not considered to have any undue impact on the adjoining northern property. • The provision of screening along all facades allows for the retention of privacy to the adjoining property owners from all the dwellings. • The proposal complies with the overshadowing requirement. • The walls facing the side properties are articulated and staggered. At the rear, the wall will be setback 2.5 metres and will not occupy the full length of the boundary and no overlooking will result. In this instance it is considered there will be no undue impact on the adjoining side/rear properties in terms of bulk. • The nil setback along the southern boundary is as a result of a column being located on the boundary. The width of the column facing the adjoining southern property will be only 0.2 metre which will not have any undue impact on the adjoining southern property; there are no boundary walls along the side and rear boundaries.

Issue/Design Element:	Dividing Fence
Requirement:	<p>Local Law Walls not higher than 3.5 metres with an average of 3 metres for two-thirds the length of the balance of the boundary behind the front setback, to one side boundary only. Side Fence shall not be more than 1.8 metres above the natural ground level.</p>
Applicants Proposal:	Side Fence= 2.3 metres above natural ground level.
Performance Criteria:	Not applicable.
Applicant's Justification	<i>No specific justification provided by the applicant</i>

Issue/Design Element:	Dividing Fence
Summary:	
Officer Technical Comment	When the proposal was advertised the side fence was proposed with a maximum height of 3.5 metres above natural ground level. However the applicant amended the plans to show the fence height will vary from 1.8 metres to 2.3 metres. Generally the side fence will comply with the 1.8 metres. Only a relative small part of the boundary where the fence will have a height of 2.3 metres above the natural ground level due to the slope of the land. Therefore it is not considered that the variation to the fence will have an undue impact on the adjoining properties.
Issue/Design Element:	Building Height
Requirement:	Residential Design Elements BDADC 5 Multiple Dwellings in Residential Zones Policy No. 3.4.8 – Clause 4 Top of external wall (concealed roof): 10 metres
Applicants Proposal:	Front part of building= 10.2 metres to 10.7 metres
Performance Criteria:	Residential Design Elements BDPDC 5 Building height is to be considered to: <ul style="list-style-type: none"> • Limit the height of dwellings so that no individual dwelling dominates the streetscape; • Limit the extent of overshadowing and visual intrusion on private space of neighbouring properties; and • Maintain the character and integrity of the existing streetscape. R-Codes Clause 7.1.2 P2 <u>Building height consistent with the desired height of buildings in the locality, and to recognise the need to protect the amenities of adjoining properties, including, where appropriate:</u> <ul style="list-style-type: none"> • <u>adequate direct sun to buildings and outdoor living areas;</u> • <u>adequate daylight to major openings to habitable rooms;</u> • <u>access to views of significance from public places;</u> • <u>buildings present a human scale for pedestrians;</u> <u>building facades are designed to reduce the perception of height through design measures; and</u> <ul style="list-style-type: none"> • <u>podium style development is provided where appropriate.</u>
Applicant's Justification Summary:	The proposal makes use of the fall across the site to tuck visitor and resident parking in an under croft and basement configuration at a level which allows for easy vehicular access from Charles Street.
Officer technical comment:	The proposed development is considered to comply with the performance criteria in this instance for the following reasons: <ul style="list-style-type: none"> • Generally the proposed building complies with the required 10 metres height (3 storeys) except in the front. This is due to the land sloping from the rear to the front. • The proposed building is setback significantly from the side/rear boundaries which minimise any visual impact on the adjoining properties. • With regard to the streetscape, given the building is setback 5.435 metres to 7.251 metres from Charles Street, it is considered that the variation in height will not have an undue impact on the streetscape. • In the event it were a pitched roof, the acceptable height would be 12 metres. Therefore the variation to the height is not inconsistent with the desired future character.

Issue/Design Element:	Roof Forms
Requirement:	Residential Design Elements Clause 7.4.3 BDADC 3 Roof Pitch to be 30 - 45 degrees
Applicants Proposal:	Concealed Roof
Performance Criteria:	Residential Design Elements Clause 7.4.3 BDPC 3 The roof of a building is to be designed so that: <ul style="list-style-type: none"> • <i>It does not unduly increase the bulk of the building;</i> • <i>In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and</i> • <i>It does not cause undue overshadowing of adjacent properties and open space.</i>
Applicant's Justification Summary:	<i>No specific justification provided by the applicant</i>
Officer technical comment:	The proposed roofing is considered to comply with the Performance Criteria of Clause 7.4.3 <i>Roof Forms</i> : <ul style="list-style-type: none"> • The proposed roofing is contemporary in nature, and it is argued that the height and bulk of the structure with a skillion roof is less bulky and of a lesser height than what would be allowed if the development was of a pitched roof design. • It is also noted that overshadowing would be of a greater degree and impact if the development was of a pitched roof format rather than skillion. • Charles Street is identified in the multiple dwellings policy as a location which is suitable to larger multiple dwellings, which reflects a change in the character.

Issue/Design Element:	Visual Privacy
Requirement:	R-Codes Clause 6.8.1 A1 Outdoor Area– 7.5 metre Cone of Vision Privacy Setback
Applicants Proposal:	Outdoor Area to unit 2- 4.6 metres to the southern boundary on the western elevation. Outdoor Area to unit 4- 3.4 metres to the western boundary on the western elevation.
Performance Criteria:	R-Codes Clause 6.8.1 P1 Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness. Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass. Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity. Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.
Applicant's Justification Summary:	<i>Applicant did not provide specific justification.</i>
Officer technical comment:	If this application is supported, the applicant is required to comply with the screening requirement.

Issue/Design Element:	Site Levels
Requirement:	BDADC 7. Cut and Fill Retaining wall not greater than 0.5 metres above the natural ground level.
Applicants Proposal:	0.7 metre retaining wall
Performance Criteria:	BDPC 7. Cur & Fill Minimise changes to natural ground level of the development lot.

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

Applicant's Justification Summary:	Applicant did not provide specific justification.
Officer technical comment:	The variation is minimum and will not have any undue impact on the adjoining property in terms of changes to the natural ground level.

Issue/Design Element:	Dwelling Size
Requirement:	Residential Design Codes 7.4.3 A3.1 Minimum 20 per cent 1 bedroom dwellings, up to a maximum of 50 per cent of development;
Applicants Proposal:	The development is 100% two bedroom multiple dwellings.
Performance Criteria:	Residential Design Codes 7.4.3P3 Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types and sizes is provided.
Applicant's Justification Summary:	Applicant did not provide specific justification.
Officer technical comment:	It is considered that the proposed development provides a diversity of dwellings as compared to the existing single houses and grouped dwellings along Charles Street.

Car Parking

The car parking required for the proposed multiple dwellings is calculated as per the R-Codes 2010.

Car Parking	
Small Multiple Dwelling based on size (<75 square meters or 1 bedroom) – 0.75 bay per dwelling (9 multiple dwellings) = 6.75 car bays = 7 car bays	21 car bays
Medium Multiple Dwelling based on size (75-110 square meters) – 1 bay per dwelling (9 multiple dwellings) = 9 bays	
Visitors = 0.25 per dwelling (18 multiple dwellings proposed) = 4.5 car bays = 5 car bays	
Total car bays required = 21 car bays	
Total car bays provided	41 car bays (36 car bays for residents and 5 car bays for visitors)
Surplus	20 car bays

Bicycle Parking		
Bicycle Parking	<ul style="list-style-type: none"> 1 bicycle space to each 3 dwellings for residents and 1 bicycle space to each 10 dwellings for visitors (total 18 dwellings proposed): 6 bicycle bays for the residents. 1 Bicycle space per 10 dwellings: 1 bicycle space required 	A bike store is proposed.

CONSULTATION/ADVERTISING:

Required by legislation:	Yes	Required by City of Vincent Policy:	Yes
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Comments Period:	9 July 2012 to 21 July 2012.
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Comments Received:	Five objections were received.
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Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Plot Ratio</p> <ul style="list-style-type: none"> The number of units should be decreased to comply with the plot ratio. 	<p>Dismiss. As outlined in the Assessment Table, given the articulation of the building, the proposal will not have any undue impact on the adjoining properties in terms of bulk.</p> <p>Charles Street is identified as a major road in the multiple dwellings policy whereby three storeys can be supported. The design of building in terms of street setback, varying building setbacks, incorporation of significant landscaping, varying building shape and form, will contribute to minimise the bulk impact on the adjoining properties.</p>
<p>Issue: Building Setbacks</p> <ul style="list-style-type: none"> The proposed building is to be setback further from the adjoining properties as it will impact on the amenity of the adjoining properties. 	<p>Dismiss. As outlined in the Assessment Table, the variations to the setbacks are minor and will not have any undue impact on the adjoining properties in terms of sunlight and ventilation.</p>
<p>Issue: Building Height</p> <ul style="list-style-type: none"> Object to the height of the building which will block the views of the adjoining properties. 	<p>Dismiss. As per the City's Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones, the number of storeys permitted for this site is 3 storeys. Therefore the proposal (3 storeys and basement) complies with the required number of storeys. With regard to the height, as outlined in the Assessment Table, there will be no impact on the adjoining properties. Moreover retention of views is not a planning issue.</p>
<p>Issue: Privacy</p> <ul style="list-style-type: none"> All the balconies and windows shall be setback or screened so as not to overlook adjoining properties. 	<p>Supported. Generally the balconies and windows to the bedrooms comply with the required privacy setbacks from boundaries. Therefore the balconies and windows cannot be required to be screened. As outlined in the Assessment Table those outdoor areas not</p>

Summary of Comments Received:	Officers Technical Comment:
	complying with the privacy setbacks are required to be screened. Moreover, if this application is supported, a condition will be to require all the proposed screens to comply with the definition of the R-Codes to ensure there is no overlooking.
<p>Issue: Dividing</p> <ul style="list-style-type: none"> Request that the dividing fence between the subject site and the north and eastern properties be 4.9 metres. 	Dismiss. The City will not support a dividing fence of 4.9 metres as it will impact on the subject property and adjoining properties in terms of sunlight and ventilation. Moreover dividing fences are a civil matter between adjoining neighbours.
<p>Issue: Overshadowing</p> <p>The height of the building will cause overshadowing of the adjoining properties.</p>	Dismiss. As shown on the plans the proposal complies with the overshadowing requirement.
<p>Issue: Zoning</p> <p>The land is zoned R60, however the proposed development is of a standard of R80.</p>	Dismiss. As outlined above, the number of storeys is as per the City's Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones and the variation to the plot ratio is not considered to have any undue impact on the surrounding properties.
<p>Issue: Performance Criteria</p> <p>As shown in the Community Consultation Form proposal does not comply with the performance criteria and acceptable development standard.</p>	Noted. The consultation form shows how the proposed building is non-compliant with the required standard. However these variations can be assessed under the performance criteria to determine whether the variations can be supported. As outlined in the Assessment Table, the variations are assessed under the performance criteria.
<p><u>Main Roads</u></p> <p>Main Roads do not have objection to the proposed development subject to the following conditions:</p> <ol style="list-style-type: none"> No earthworks shall encroach onto the Charles Street reserve. No stormwater drainage shall be discharged onto the Charles Street reserve. The applicant shall make good any damage to the existing verge vegetation within the Charles Street reservation. The applicant is required to undertake a transport noise assessment in accordance with the guidelines of the EAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight 	Noted. These considerations are included in the Officer Recommendation.

Summary of Comments Received:	Officers Technical Comment:
<p>Considerations in Land Use Planning.</p> <p>5. Approval should be sought from the Department of Planning as Charles Street is subject to Planning Control Area number 100.</p> <p>Advice to Applicant</p> <p>The applicant must obtain approval from Main Roads before all works are undertaken within the Charles Street road reserve. The applicant seeking access to the Main Roads network will be required to submit an Application as outlined in the Application Kit and Guidelines” for State Roads.</p> <p>Application kits can be found on the Main Roads website>”Using Roads”.”Road and Traffic Information.”Works on Main Roads”> State Roads>Application Kit and Guidelines for Complex Works OR Application Form for Low Complexity Works.</p> <p>All enquiries related to conditions 1-3 shall be directed to the Metropolitan Region- Asset Manager.</p>	

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 apartment access to north light and natural heat gain. This can be achieved with simple interior planning and increasing window sizes on the north elevation. Test sun angles and adjust accordingly.*
2. *Consider removing the access walkways with the introduction of dedicated stairs shared by apartments. This can be achieved with the introduction of a stair between the two front apartments. This will enable more freedom to develop the north facing elevation and reduce potential privacy issues.*
3. *Demonstrate overshadowing conforms.*
4. *Improve the mix of apartment types.*
5. *Consider re-planning the front apartment to reduce the impact of traffic noise to the street facing bedroom.*

The applicant provided the following response:

1. *Improve the apartment access to north light and natural heat gain. This can be achieved with simple interior planning and increasing window sizes on the north elevation. Test sun angles and adjust accordingly.*

MJA has recognised the opportunity highlighted by the DAC and has replanned apartments 2, 3, 8, 9, 14 and 15; this change has increased the amount of Northern solar access into these apartments.
2. *Consider removing the access walkways with the introduction of dedicated stairs shared by apartments. This can be achieved with the introduction of a stair between the two front apartments. This will enable more freedom to develop the north facing elevation and reduce potential privacy issues.*

MJA considered this but in light of the changes to apartments highlighted in point 1 we feel this would not be the best outcome for inhabitants, we see the access walkway as a winter balcony for residents with their summer balcony being on the south. Privacy issues have been addressed through our extensive screening of this façade.

3. *Demonstrate overshadowing conforms*

The overshadowing diagram demonstrates that the proposed development meets the requirements of overshadowing for R60 lots outlined in the R-Codes 7.4.2 that is that there shall be no overshadowing that is more than 50% of an adjacent site and no more than 50% of the outdoor living area of an adjacent site. MJA has adjusted the roofline of the proposal so that we conform across the overshadowed sites shown in the diagram.

The diagram shows that subject site 1 is overshadowed 45% in total and 50% of its outdoor living space is overshadowed. Subject sites 2 to 4 have <50% of their outdoor living spaces overshadowed.

4. *Improve the mix of apartment types.*

The performance criteria for R-Codes 7.4.3 states that "Each dwelling within the development is of sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure a range of types and sizes is provided.

MJA feels that the dwellings within the proposal meet the needs of the target demographic, that being two bedroom dwellings. We have allowed for a range of unit sizes and different types of two bedroom units which allow for a range of price points and which we feel address the aspirations of the performance criteria.

5. *Consider re-planning the front apartment to reduce the impact of traffic noise to the street facing bedroom.*

MJA considered re-planning the front apartments but we feel as bedrooms area generally occupied in periods of non-peak traffic noise that this change would not increase the amenity of the apartment. MJA feels that the living space should be afforded primary sound protection.

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

LEGAL/POLICY:

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

Multiple Dwellings in Residential Zones Policy No. 3.4.8.

Charles Street has been identified in Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones as a major road where greater building height can be considered.

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
Northern light accessing the apartments reduces the reliance on artificial heating, lighting and cooling.	

SOCIAL	
Issue	Comment
The proposal for multiple dwellings will provide the opportunity for greater housing choice within the City.	

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Demolition

The subject one storey brick and tile dwelling is an example of an Interwar Bungalow style of architecture constructed circa 1927.

The WA Post Office Directories first listed the subject dwelling in 1928 with Peter Ferguson as the earliest resident. Since then the subject dwelling has been transferred several times to new owners and occupiers.

The full heritage assessment undertaken in April 2011 for No. 258 Charles Street, North Perth has been updated. The updated heritage assessment, including a site inspection undertaken on 18 July 2012, indicates that whilst the place has some aesthetic and historic value, it has little scientific or social heritage significance. The place is not rare and does not represent any aspect of cultural heritage of the City of Vincent that may be endangered. In accordance with the City's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory.

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

Planning Control Area No. 100

Given the site is subject to road widening the City is required to refer this application to the Western Australian Planning Commission for determination.

Planning

Plot ratio and building height contribute to the bulk and scale of a development and in this instance, the subject proposal is not considered to have an undue impact on the amenity of the area and is symptomatic of a growing trend to develop underutilised inner-city properties.

Charles Street is considered as a major road in Policy No. 3.4.8 relating to Multiple Dwellings in Residential Zones whereby greater heights/larger multiple dwellings are permitted. In this instance the proposal complies with the permitted height (number of storeys) along Charles Street as specified in the policy. Moreover the development reflects the change for a new character along Charles Street espoused by this policy.

Draft TPS2 is considering greater height and greater density for lot greater than 1000 square metres (the subject site is 1658 square metres) which will result in greater plot ratio being supported. Therefore the plot ratio is in line with the future direction of development in the City.

A total area of 310 square metres of landscaping (21 per cent of the site) will be provided. New trees and plants will be provided along the side/rear boundaries and in the front which will soften the proposed development on adjoining properties and the streetscape.

The design of building, in terms of street setback, varying building setbacks, incorporation of significant landscaping, varying building shape and form, will not have an undue impact on the surrounding properties in terms of bulk.

In the context of surrounding development close to and along Charles Street, and the support of a three-storey development on the subject site, the proposed plot ratio is recommended for approval. The proposed development will significantly contribute to a change in the area and will contribute to the diversity in housing types that is a long-term strategic goal for the City of Vincent.

In light of the above, given the development will not unreasonably impact on the surrounding area and represents a sound planning response to residential development along Charles Street, it is recommended that Council recommend approval of the application, subject to the standard and appropriate conditions.

9.2.1 Further Report - Forrest Park, Mount Lawley - Proposed Improvement Options

Ward:	South	Date:	31 August 2012
Precinct:	Forrest (14)	File Ref:	RES0003
Attachments:	001 – Options for Forrest Park		
Tabled Items:	Nil		
Reporting Officers:	J van den Bok, Manager Parks & Property Services; and R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

Mayor Hon. Alannah MacTiernan has declared a proximity interest in Item 9.2.1.
Chief Executive Officer John Giorgi has declared an impartiality interest in Item 9.2.1

OFFICER RECOMMENDATION:

That the Council;

1. **CONSULTS** with the Community and sports users of Forrest Park including holding another public meeting during the consultation period, regarding the proposal to undertake the following:
 - 1.1 permanent removal of the existing southern cricket pitch;
 - 1.2 installation of a permanent barrier to separate the dog exercise area from the active sports area, seeking comments on a preferred option of the four (4) Options outlined in the report in plan Nos 2542-CP-01V to 2542-CP-01Y;
 - 1.3 possible reconfiguration of the existing soccer fields, the inclusion of an additional soccer field and increasing the size of the existing dog exercise area also as shown in plan Nos 2542-CP-01V to 2542-CP-01Y; and
 - 1.4 additional parks furniture including seating, picnic areas and barbeque as shown in Plan No 2542-CP-01U;
2. **FURTHER** investigates the;
 - 2.1 possible use of Birdwood Square for girls soccer; and
 - 2.2 creation of a 'dog free' area in a park, preferably Brigatti Gardens; and
3. **CONSIDERS** the matters raised in clauses 1 and 2 above at the conclusion of the consultation period.

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

Deputy Mayor Warren McGrath assumed the Chair at 6.46pm.

Moved Cr Topelberg, Seconded Mayor Hon. Alannah MacTiernan

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Maier, Seconded Cr Buckels

"That Clause 2.2 be amended as follows:

- 2.2 creation of a 'dog free' area in a park, such as Jack Marks Reserve or preferably Brigatti Gardens."

Debate ensued.

AMENDMENT 1 PUT AND LOST (1-8)

For: Cr Maier

Against: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg, Cr Wilcox

Debate ensued.

AMENDMENT 2

Moved Cr Maier, Seconded Cr Topelberg

“That Clause 2.2 be amended as follows:

2.2 **“Creation of a dog free area in a park, preferably Brigatti Gardens; and”**

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (9-0)

Debate ensued.

AMENDMENT 3

Moved Cr Maier, Seconded Cr Harley

“That Clause 2.1 be amended to read as follows:

2.1 **Possible use of Birdwood Square and Charles Veryard Reserve; and”**

Debate ensued.

Deputy Mayor Warren McGrath asked Cr Harley that as a seconder, did she have a suggested rewording.

Cr Harley advised that she did and suggested her rewording would be:

“2.1 **Possible use of other reserves within the City of Vincent ~~Birdwood Square and Charles Veryard Reserve; and~~**”

Debate ensued.

Cr Maier advised that he was more than happy to accept this change. Cr Harley advised that she supported the rewording.

“That Clause 2.1 be deleted and a new Clause 3 be inserted to read as follows:

2.1 ~~— Possible use of Birdwood Square and Charles Veryard Reserve; and”~~

3. **“REQUESTS a presentation at the October Forum which reports on the potential uses by Sporting Clubs of parks and reserves within the City”.**

Debate ensued.

AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

Mayor Hon. Alannah MacTiernan assumed the Chair at 7.14pm.

COUNCIL DECISION ITEM 9.2.1

That the Council;

1. **CONSULTS with the Community and sports users of Forrest Park including holding another public meeting during the consultation period, regarding the proposal to undertake the following:**
 - 1.1 **permanent removal of the existing southern cricket pitch;**
 - 1.2 **installation of a permanent barrier to separate the dog exercise area from the active sports area, seeking comments on a preferred option of the four (4) Options outlined in the report in plan Nos 2542-CP-01V to 2542-CP-01Y;**
 - 1.3 **possible reconfiguration of the existing soccer fields, the inclusion of an additional soccer field and increasing the size of the existing dog exercise area also as shown in plan Nos 2542-CP-01V to 2542-CP-01Y; and**
 - 1.4 **additional parks furniture including seating, picnic areas and barbeque as shown in Plan No 2542-CP-01U;**
2. **FURTHER investigates the creation of a dog free area in a park;**
3. **REQUESTS a presentation at the October Forum which reports on the potential uses by Sporting Clubs of parks and reserves within the City; and**
4. **CONSIDERS the matters raised in clauses 1 and 2 above at the conclusion of the consultation period.**

PURPOSE OF REPORT:

The purpose of the report is to provide the Council with options for consideration to improve the amenity, safety and useable space at Forrest Park for a range of users.

BACKGROUND:

The following Council reports and Community/Council forums have been held in relation to Forrest Park and surrounding parks within the Highgate area.

Public Forum - 11 February 2012 at Forrest Park Croquet Club:

The above forum, facilitated by the Mayor, attracted eighty (80) residents, sporting club representatives and other users of parks within the Forrest precinct. The purpose of the forum was to hear stakeholder views/thoughts/opinions/ideas on the current and future use of Forrest Park, Jack Marks Reserve, Brigatti Gardens and Loton Park.

Ordinary Meeting of Council - 28 February 2012:

A report was presented in relation to the proposed installation of fencing around the perimeter of Jack Marks Reserve. Other matters raised at the above public forum were considered and further investigated where feasible and reported back to the Council. The fence/hedge was subsequently installed in Jack Marks Reserve in April 2012 and since its installation numerous positive comments have been received by the City's Administration.

Ordinary Meeting of Council - 24 April 2012:

A further report on Forrest Park including a number of other matters was included in the Council agenda, however the item was subsequently withdrawn and not considered.

Ordinary Meeting of Council - 22 May 2012:

An agenda item on the further investigation of possible amenity improvements at Forrest Park was presented, however this item was deferred to a Council Forum to be held in June/July 2012.

DETAILS:**Current Usage:**

The following outlines the current schedule of approved uses at the park.

Summer season - 1 October to 31 March (*total sports usage per week 12.00 hours*)

Day	Organised Sport	Activity	Hours of Use
Monday	Perth College	Softball	<i>Not free for 2 hours between 7.00am - 8.00am</i>
Tuesday	Perth Junior Soccer Club	Soccer	<i>Not free for 2 hours between 6.00pm - 8.00pm</i>
Wednesday	Nil	Nil	All day free
Thursday	Perth Junior Soccer Club	Soccer	<i>Not free for 2 hours between 6.00pm - 8.00pm</i>
Friday	Nil	Nil	All day free
Saturday	Nil	Nil	All day free
Sunday	Last Man Stands (both pitches)	Cricket	<i>Not free for 6 hours between 10.30am - 4.30pm</i>

Winter season – 1 April to 30 September (*total sports usage per week 16.30 hours*)

Day	Organised Sport	Activity	Hours of Use
Monday	Nil	Nil	All day free
Tuesday	Perth Junior Soccer Club	Soccer	<i>Not free for 3 hours between 5.00pm - 8.00pm</i>
Wednesday	Perth Junior Soccer Club	Soccer	<i>Not free for 2 hours between 5.00pm - 7.00pm</i>
Thursday	Perth Junior Soccer Club	Soccer	<i>Not free for 3 hours between 5.00pm - 8.00pm</i>
Friday	Perth Junior Soccer Club	Soccer	<i>Not free for 2 hours between 5.00pm - 7.00pm</i>
Saturday	Nil	Nil	All day free
Sunday	Perth Junior Soccer Club	Soccer	<i>Not free for 6.30 hours between 8.30am - 3.00pm</i>

Forrest Park is designated as an active recreational park (as against a passive recreational park). Therefore as can be seen from the above Forrest Park is used for organised sport for twelve (12) hours per week in the Summer months and sixteen and a half (16.5) hours per week in the Winter months.

Outside of these hours there it is no 'organised' sport booked, i.e. for the other one hundred and thirty nine (139) hours per week (night time hours included!).

Council Forum – 21 August 2012:

Officers presented various Improvement Options the Park including park furniture upgrade, relocation of southernmost cricket pitch, relocation of existing soccer pitches, removal of the southernmost cricket pitch and segregation of dog exercise area from existing 'active' area.

Other matters discussed were the possible formation of a Forrest Park Working Group, provision of a dog 'free' park and use of Birdwood Square by Perth Junior Soccer Club for women's soccer teams.

There was much discussion and feedback particularly in regard to the Perth Junior Soccer Club usage of the park during peak hours.

Generally all were in favour and agreed that due to the ongoing issues, the park should be divided by some form or the other. All were generally also in favour of removing the southernmost cricket pitch.

The following possible improvement options have been developed based on the feedback from the Community and Council forums and officers reassessment of the park set out and current user statistics/requirements.

Additional Parks furniture: *(Supported)*

The facilities available at Forrest Park have been assessed and generally the ratio of park benches/bins to other sportsgrounds is above average, however the request for further seating and bins has been noted and additional park furniture and barbeque (BBQ) can be considered where appropriate. With regards to improvements to the children's playground equipment and lighting, these items have only recently been upgraded and it is not considered necessary for any additional upgrade at this point in time.

Officer's comments:

As part of the five (5) year parks development plan, this financial year 2012/2013, picnic tables and park benches are on order and will be ready for installation by mid September 2012. An electric BBQ has not been budgeted for at Forrest Park, however funding is available for an electric BBQ if this is approved.

Possible 'relocation' of existing southernmost cricket pitch: *(Not supported)*

Should the relocation of the southernmost cricket pitch, to the north, occur as initially suggested, the cricket pitch would be located within the main soccer field.

Where cricket pitches are located within the field of play in other reserves, they are covered with heavy duty rubber mats for the duration of the winter season. However, whilst the heavy rubber matting has minimal impact upon ball sports such as Australian Rules football and Rugby where the ball is in most parts is aerial, soccer also relies on direct ball contact with the grassed surface.

Therefore the grassed surface, as in hockey, must be reasonably level and free of material or objects that can divert or impact on the direction that the ball is travelling when kicked along the ground. The rubber mats whilst not generally presenting a trip hazard do affect the ball movement and therefore soccer fields have always been marked adjacent to or around cricket pitches.

Therefore the reasons for not supporting the relocation of the existing southern most cricket pitch are as follows:

- it would severely compromise the current functional use of Forrest Park as an active recreational reserve;
- it would cause a safety issue for children playing soccer;
- it would potentially increase the City's liability, in the event that an accident or injury occurs;
- the City previously removed one (1) cricket pitch and the two (2) current pitches are considered acceptable in their current location; and
- the estimated cost of \$20,000 of the works cannot be justified;

Officer comments:

There is little to gain from moving the southernmost cricket pitch to the north and should this option be progressed, it will seriously compromise the continued use of the park by the Perth Junior Soccer Club (PJSC). If rubber protective mats were used, this would result in a potential safety and liability/risk issue for the City. Therefore this option is not supported.

Complete 'removal' of existing southernmost cricket pitch: *(Supported)*

The option of completely removing the southernmost cricket pitch has been raised previously and the City's Officers have followed up with users (users past and present) on their intentions for the forthcoming summer season.

At this point in time only 'Last Man Stands' have indicated that they will submit an application to use both existing cricket pitches. This competition is a professionally run global competition, and is a variation on traditional cricket having a limited number of players and limited over's per innings.

Officer comments:

With the limited use of the southernmost cricket pitch, the availability of alternative ovals to relocate 'Last Man Stands' and the advantages that this will provide in providing additional space to physically segregate the dog exercise area from the main active sports areas. In addition it would allow the existing soccer fields to be reconfigured and possibly allow for an additional soccer field to be installed. At the recent Council forum the majority of Councillors present support this option.

'Segregation' of 'dog exercise area' from 'active' area: *(Supported)*

The advantages and disadvantages of having a barrier to clearly define the dog exercise area are discussed below:

Advantages:

- would clearly define one area from the other;
- would prevent dogs or persons/projectiles from entering respective areas; and
- would allow for additional seating/shade.

Disadvantages

- would break up an otherwise ideal area of 'active' public open space;
- increased maintenance costs; and
- possible impediment to patrons using park when there is no active sport.

Officers Comments:

A permanent barrier cannot be considered without the removal of existing southernmost cricket pitch. Also would a barrier (of some sought) be considered it is felt that the south side of the park (south of the barrier) would be dog exercise off leash at all times and north side of the barrier would be active sport at all times and dogs on leash at all other times.

'Reconfiguration' of existing soccer fields: *(Supported, subject to further discussion with PJSC)*

Currently the southern side boundary of the existing 'southernmost' junior soccer pitch is located on the northern boundary of dog exercise area which results in soccer spectators standing within the dog exercise to watch the games etc. Officers consider that there is an opportunity to reconfigure all of the soccer pitches by moving them further north by around three (3) metres to create a buffer zone where spectators can stand without encroaching into the dog exercise area.

Also should the southernmost cricket pitch be removed (as mentioned above) there is further opportunity to undertake the following.

- reconfigure the soccer pitches, providing additional area for dog exercise;
- An area to provide some form of physical/vegetative barrier between the dog exercise area and the active area; and
- Additional area to possibly provide an additional junior soccer pitch.

Officer comments:

It is recommended that following approval of the preferred options staff liaise with the PJSC to discuss relocation of the soccer pitches to enable a more suitable configuration to be implemented that provides improved safety, amenity and additional area for a barrier to be installed and an additional junior soccer field to be created.

Proposed Barrier Options (between the active sports areas and the dog exercise area):

Note: This would only be possible with the removal of the existing southern cricket pitch (as discussed above):

Option 1: Planting a low hedge/installing a solid barrier (fence/limestone walling)/seating:
Plan No 2542-CP-01V

A permanent structure could comprise of a 400mm high fence with plantings similar to Jack Marks Reserve. The estimated cost implication of a permanent vegetative barrier and pool fence like barrier to the height of 400mm has been costed at approximately \$14,000. Alternatively a limestone wall could be constructed across the reserve leaving openings for pedestrian access. The cost would be approximately \$25,000 (not including park furniture).

Advantages:

Would provide a physical barrier to ensure dogs are restricted onto the field of play during organised sport on the park and vice versa. At present when active sport is in progress, dogs must be on leash. At all other times dogs can be off leash.

This barrier would possibly allow for dogs to be off leash in the southern 'designated' portion of the park at all times.

Disadvantages:

May compromise Forrest Park as an area of Public Open Space and require the removal of the cricket pitch and have moderate cost implications of installation. There is anecdotal evidence that the installation of a permanent physical barrier would not be supported by the soccer club and the cricket club would probably not want to lose the cricket pitch.

Ongoing maintenance costs will be applicable if a vegetative barrier is established and this would add to the maintenance costs of the reserve due to disrupted mowing patterns, plant replacement and general care of the hedge.

Option 2: Earth Mounding/planting/seating/BBQ: Plan No 2542-CP-01W

With the removal of the southernmost cricket pitch and reconfiguration of the soccer pitches enough area would be available to construct an earth mounding 500-750mm in height at the centre across the reserve. Again if desired an opening could be left to allow pedestrian access. The earth mound could be planted with waterwise plant species and trees and seating again provided on either side of the mound. The cost would be approximately \$35,000 (not including park furniture).

Advantages:

Would provide a physical/vegetative barrier to ensure dogs are restricted onto the field of play during organised sport on the park and vice versa. At present when active sport is in progress, dogs must be on leash. At all other times dogs can be off leash.

Increases biodiversity within the park and improves visual amenity with the addition of significant plantings and park furniture.

This barrier would possibly allow for dogs to be off leash in the southern 'designated' portion of the park at all times.

Disadvantages:

May compromise Forrest Park as an area of Public Open Space and would definitely require the removal of the cricket pitch and have significant cost implications of installation. There is anecdotal evidence that the installation of a permanent physical barrier would not be supported by the soccer club and the cricket club would probably not want to lose the cricket pitch.

Ongoing maintenance costs will be applicable if a vegetative barrier is established and this would add to the maintenance costs of the reserve due to disrupted mowing patterns, plant replacement and general care of the plantings.

Option 3: Tree plantings/some garden beds/Pine bollards/seating: Plan No 2542-CP-01X

A line of pine bollard fencing with trees planted across the reserve would clearly define the active area from the dog exercise area. Park furniture would be provided on either side of the fence/tree line and this option would minimally restrict access from one area to the other between the fencing poles and trees. The cost would be approximately \$10,000 (*not including park furniture*)

Advantages:

Would provide more of a visual barrier than a physical barrier, however would make it very clear where the respective active and dog exercise areas start and finish. At present when active sport is in progress, dogs must be on leash. At all other times dogs can be off leash.

This barrier may allow for dogs to be off leash in the southern 'designated' portion of the park at all times.

Disadvantages:

May compromise Forrest Park as an area of Public Open Space and require the removal of the cricket pitch and have high cost implications of installation. There is anecdotal evidence that the installation of a permanent physical barrier would not be supported by the soccer club and the cricket club would probably not want to lose the cricket pitch.

Ongoing increased maintenance costs will still be applicable with this form of barrier due to disrupted mowing patterns, plant replacement and general care requirements.

Option 4: As per option 3, with the inclusion of a 2.5m wide path: Plan No 2542-CP-01Y

In addition to what has been proposed in Option 3 above, a 2.5 metre asphalt path could be included / constructed across the reserve similar to the segregation of the dog exercise area and the active area at Charles Veryard Reserve in North Perth. This would cost in the vicinity of \$50,000.

Advantages:

Again this would provide more of a visual barrier than a physical barrier, however would make it very clear where the respective active and dog exercise areas start and finish. At present when active sport is in progress, dogs must be on leash. At all other times dogs can be off leash.

This barrier may allow for dogs to be off leash in the southern 'designated' portion of the park at all times.

Disadvantages:

May compromise Forrest Park as an area of Public Open Space and require the removal of the cricket pitch and have relatively low cost implications of installation. There is anecdotal evidence that the installation of a permanent physical barrier would not be supported by the soccer club and the cricket club would probably not want to lose the cricket pitch.

Ongoing increased maintenance costs will still be applicable with this form of barrier due to disrupted mowing patterns, plant replacement and general care requirements.

Dog free area:

As outlined by officers at the recent Council forum, if there is a demand for a 'dog free' area within the City, the officers consider that Brigatti Gardens would be most suitable to accommodate this. There is a playground and an open area of at least 1,500m² for children to run around and kick balls etc and with the area now heavily vegetated and maintained regularly, keeping dogs out is preferable.

Whilst the notion of creating a 'dog free' area within an existing park (Forrest Park) used for dog exercise or active sport has been raised this is not supported by officers as it is considered that for this to work effectively, it would require a fenced area that is likely to further compromise the general amenity and the active nature of this park

Should the segregation of the active area and dog exercise area at Forrest Park eventuate however, there is the option of Jack Marks Reserve being made a dog 'free' park.

Use of Birdwood Square:

Perth Junior Soccer Club have approached the City in relation to the formation of additional Girls Soccer teams, however due to the lack of area at Forrest Park this cannot be accommodated under the current arrangement.

At a recent meeting between club officials, the Mayor and staff, Birdwood Square was identified as a possible alternative location to accommodate this activity.

If progressed this possibly would take some of the pressure off Forrest Park, however would require the following:

- upgrade to sports lighting/building
- relocation of existing users to other reserves

Formation of a Working Group:

The suggestion of convening a working group meeting between the PJSC, other users, community members and the City of Vincent staff has considerable merit and has worked well where issues have arisen at other reserves such as Les Lilleyman Reserve in the past.

It is recommended that the working group be restricted to operational matters and comprise of Director Technical Services (Chair), Manager Parks and Property Services, Manager Ranger and Community Safety Services, two (2) local residents and President and Member of the Perth Junior Soccer Club. It is suggested that the meetings would be held as and when required.

CONSULTATION/ADVERTISING:

The local community, Perth Junior Soccer Club and other Club users will be consulted if the Council resolves to make any significant changes to Forrest Park.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: A physical barrier may improve the amenity/safety of all park users.

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:

If the Council was to consider the segregation of the dog exercise area from the 'active' sports area by creating a vegetative barrier consisting of native plants this would ultimately result in increased biodiversity, however would not necessarily reduce groundwater use given the design of the existing in-ground reticulation system.

FINANCIAL/BUDGET IMPLICATIONS:

As indicated within the body of the report funding is available within the 2012/13 capital works budget for the supply and installation of various items of basic parks furniture. An electric BBQ is also proposed for installation at Brigatti Gardens in 2012/13 and this funding could be reallocated to Forrest Park if required.

No funding is available for the segregation options outlined above and if approved would have to be listed for consideration in the mid-year budget review or as part of the 2013/14 budget.

COMMENTS:

The issues at Forrest Park have been ongoing for some time and a final resolution is required so that all user groups and the community are clearly aware of the final Council decision it is managed accordingly.

It is therefore recommended that the Community and sports users of Forrest Park be consulted regarding the permanent removal of the southern cricket pitch, installation of a permanent barrier to separate the dog exercise area from the active sports area, reconfiguration of the existing soccer fields, the inclusion of an additional soccer field and increasing the size of the existing dog exercise area and installation of additional parks furniture including seating, picnic areas and barbeque;

It is also recommended that the Council further investigates the use of Birdwood Square for girl's soccer and the creation of a 'dog free' area in a park, preferably Brigatti Gardens.

9.2.2 Brisbane Terrace, Perth – Proposed Streetscape Improvements and Progress Report No. 2

Ward:	South	Date:	31 August 2012
Precinct:	Hyde Park (12)	File Ref:	PKG0055
Attachments:	001 –Street Tree Plan 2961-CP-01A		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council APPROVES the proposed 'Tree Planting' as shown on attached Plan No 2961-CP-01A.

Moved Cr Carey, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Topelberg

"That the Officer Recommendation be amended as follows:

That the Council APPROVES the proposed 'Tree Planting' as shown on attached Plan No 2961-CP-01A, and has a preference for 'Coral Gums' (Eucalyptus torquata) or related hybrid as the selected tree"(Eucalyptus torwood Hybrid gum).

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (9-0)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 9.2.2

That the Council APPROVES the proposed 'Tree Planting' as shown on attached Plan No 2961-CP-01A, and has a preference for 'Coral Gums' (Eucalyptus torquata) or related hybrid as the selected tree (Eucalyptus torwood Hybrid gum).

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the results of the consultation regarding proposed 'Tree Planting' in Brisbane Terrace, Perth.

BACKGROUND:

Proposed Tree Planting:

As the Council is aware the banning of the parking on the south side of Brisbane Terrace was implemented, following requests received as a result of parked vehicles being damaged due to the narrow carriageway width.

Trees were initially planned to be planted on this side of the street however due to location of underground services the planting of trees along the southern side of Brisbane Terrace was not feasible.

Following an assessment it was considered that the trees could be planted on the northern side of the street.

Ordinary Meeting of Council 24 July 2012:

A report on tree planting and possible parking initiatives was considered by the Council where the following decision was made.

"That the Council;

1. *APPROVES undertaking a three (3) month trial in Brisbane Terrace, Perth as shown on Plan No. 2961-PP-01 of:*
 - 1.1 *retention of the no stopping restriction on the south side of the street;*
 - 1.2 *1P time restrictions, 8.00am to 6.00pm Monday to Friday on the north side of the street; and*
 - 1.3 *'Resident Only' parking restrictions on the north side of the street at all other times;*
2. *CONSULTS with residents in the street;*
 - 2.1 *regarding the proposed 'Tree Planting' as shown on attached Plan No 2961-CP-01 seeking their comments; and*
 - 2.2 *to gauge the effectiveness of the trial, as outlined in clause 1, after a period of three (3) months."*

DETAILS:

In accordance with clause 2 of the Council decision (Ordinary Meeting of Council 24 July 2012) on 31 July 2012 seventy six (76) consultation packs were distributed to residents in Brisbane Terrace. At the close of consultation, on 15 August 2012 nine (9) responses were received. Of the responses received, six (6) were in favour of the proposal and three (3) were against.

A summary of the responses received are as follows:

Related Comments *In Favour* of the Proposal: (6)

- 2 x in favour of the proposal with no further comment;
- No problems as long as the trees are not planted behind our garages. The members of the Mosque – this is the problem and why there is so much illegal parking and not enough parking for the residents;
- a good position to plant the trees between two properties (boundary line) so it does not interfere with possible future development. And use small species;
- This is a big step in the right direction; however it needs to also be clear that it is 'No Standing' as a huge part of the problem is taxi drivers will need to be regulated to see any improvement; and
- Parking should not be reconsidered on the south side of the street. The street is very narrow and cars have been sideswiped while legally parked on the north side of the street. It would be beneficial to reduce the width of footpath on the north side to 1.6m. In favour however trees would be directly under the power lines and will incur ongoing maintenance/pruning costs and may interfere with the street lighting.

Related Comments *Against* the Proposal (3)

- 1 x against the proposal with no further comment;
- We very strongly object to the planting of trees on the north side of Brisbane Terrace, this side has overhead power lines, in years to come this will create issues, adjacent streets where trees have been planted are rarely maintained and end up rubbish collection points and on the weekends and late at night the laneways often become public toilets and trees would become beacons for intoxicated people to urinate. Spending the allocated money on upgrading the street lighting would be better received; and
- We would prefer the funds to be allocated to expenditure to improve street lighting and replacement of existing footpath on north side of Brisbane Terrace. The street would also benefit from cobblestone type paving to replace bitumen, as has been done in Moir Street. Trees are not a priority. Intended position of tree to boundary will impede our city views.

Officers Comments:

The existing footpath comprises a cast 'insitu concrete' path in a good condition. There is some cracking on the edges of the path which obviously occurred when vehicles were able to park on both sides of the street resulting in vehicles 'straddling' the path. This will no longer occur with the 'no stopping' restriction on the south side of the street and hence the path will not deteriorate further. There are no plans to 'cobblestone' Brisbane Terrace. Brookman and Moir Street were paved with interlocking pavers as a result of the very poor 'peaty' soil conditions. This is not the case in Brisbane Terrace and therefore in the future the road will be resurfaced.

The trees are proposed to be planted between boundaries to minimise the potential loss of view for residents.

In addition as the existing footpath is over two (2) metres in width, it is intended that the trees be planted in the footpath resulting in no loss of parking spaces (refer details below).



Brisbane Terrace (north Side – looking east. Note footpath is over 2.0m wide. Trees can be planted in the footpath without any loss of parking spaces (refer Plan No 2961-CP-01A).



Wade Street (east side): Example of trees planted in footpath just over 2.0m in width. The Brachychiton (Kurrajong).

Proposed Tree Species:

The Brachychiton (Kurrajong) originates from the eastern states of Australia and is an attractive shade tree which is well suited to streetscapes. The Kurrajong is an adaptable tree to a broad range of climatic and soil conditions, can tolerate periods of drought once established. These trees have been planted in various locations within central Perth to great effect. One great quality of this tree is they can tolerate dry conditions such as Perth's predominantly 'dry' weather.

CONSULTATION/ADVERTISING:

Consultation was undertaken to seek the views from residents regarding the planting of trees on the northern side of Brisbane Terrace, Perth. Respondents will be advised of the Council's decision.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Not applicable

STRATEGIC IMPLICATIONS:

This is in keeping with the Objectives of the City's *Strategic Plan 2011 -2016*:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$15,000 has been allocated in the 2011/2012 budget for the planting of trees in Brisbane Terrace.

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

Budget Amount:	\$15,000
Spent to Date:	\$ <u>0</u>
Balance:	\$15,000

COMMENTS:

The planting of street trees in the footpath along the north side of Brisbane Terrace would not affect the availability of parking spaces.

While not all were in favour of the trees, the majority were and therefore it is considered that in line with the Council's desire for more greening that the officer's recommendation be supported.

The trees will be strategically placed to ensure that the amenity of residents is maintained and enhanced.

9.4.1 Art Awards for Rubbish Bins

Ward:	Both	Date:	31 August 2012
Precinct:	All	File Ref:	CVC0017
Attachments:	001 – Guidelines		
Tabled Items:	Nil		
Reporting Officers:	R Gunning, Arts Officer; and J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the outcome of the investigation into an Art Award for Rubbish Bins;
2. **APPROVES** the recommendation of the City’s Arts Advisory Group for an Art Award for Rubbish Bins called “The Bincent Biennial Art Awards”; as detailed in this report and the guidelines shown in Appendix 9.4.1, attachment 001; and
3. **AUTHORISES** the Chief Executive Officer, in liaison with the Mayor, to conduct the event between September – December 2012 and to arrange an event for the presentation of the awards.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr Maier, Cr McGrath, Cr Pintabona, Cr Wilcox
Against: Cr Topelberg

PURPOSE OF REPORT:

To report to the Council on the investigation into the establishment of an Art Award for Rubbish Bins and approve the establishment of an Art Award for Rubbish Bins.

BACKGROUND:

At the Ordinary Meeting of Council held on 6 December 2011, a Notice of Motion received from Councillor Maier was adopted regarding the investigation into an Art Award for Rubbish Bins, as follows:

“That the Council REQUESTS the City’s Arts Advisory Group to provide recommendations on the feasibility, benefits, implications, risks and implementation issues of instituting an art award, possibly called the “Bincent Art Awards”, which encouraged residents to paint their garbage bins and which awards prizes, possibly monthly or quarterly, for the best bin(s) based on recommendations from the City’s rubbish truck drivers.”

DETAILS:

Following the Ordinary Meeting of Council held on 6 December 2011, the item was raised at the Art Advisory Group Meeting held on 8 February 2012. The Art Advisory Group approved the Rubbish Bin Art Awards in principle and the Chair requested the project be further developed.

At the Art Advisory Group Meeting held on 30 July 2012, the City’s Officers presented a report on the Bincent Art Awards. Following discussion, the following recommendations were made:

- To hold the Awards biennially (every two years) and to call the project 'The Bincent Biennial Art Awards';
- The Awards would not be Gold, Silver and Bronze, but be listed as Glass, Steel and Cardboard Awards with twenty-five (25) prizes in total;
- To present the competitions as a 'friendly and colourful' invitation to decorate refuse bins, and to 'keep it simple' to encourage the maximum entries;
- To allow a maximum of five entries (5) per commercial tenancy and one (1) entry per residential dwelling; and
- The judges for the competition would be:
Glass Category – the visiting 'Artist in Residence' RG (REININGGUNSCELLSCRAFT).
Steel Category – Art Advisory Group.
Cardboard Category – City of Vincent Staff.

Following the Arts Advisory Group Meeting the City Officers developed an entry form based on the above recommendations as shown in Appendix 9.4.1.

CONSULTATION/ADVERTISING:

Advertising will be conducted through advertisements in local papers, flyers and emails sent through to the City's databases.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

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

"3.1 Enhance and promote community development and well being.

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

SUSTAINABILITY IMPLICATIONS:

Although light hearted in nature, the project will draw attention to the bins, their correct use and recycling implications.

FINANCIAL/BUDGET IMPLICATIONS:

A budget of \$9,000 has been allocated for the project; \$5,000 will be allocated for prizes (as shown in Appendix 9.4.1) and a further \$4,000 will be used for promotion and the award presentation event.

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

Budget Amount:	\$ 9,000
Spent to Date:	\$ 0
Balance:	\$ 9,000

COMMENTS:

The 'Bincent Biennial Art Awards' offer an ideal way for the whole community regardless of age or ability to participate in an arts activity. The Awards will not only enliven the City's streets with artwork, it will also promote community engagement and interaction. It is anticipated that The 'Bincent Biennial Art Awards' will enjoy broad community support and will become a much anticipated event on Vincent's Arts calendar.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

13.1 URGENT BUSINESS - nib Stadium Redevelopment – Proposed Temporary Use of Loton Park for Steel Laydown Area

Ward:	South	Date:	11 September 2012
Precinct:	Beaufort (13)	File Ref:	RES0114, RES0013
Attachments:	001 – Proposed Laydown Area		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **APPROVES** the temporary use of Loton Park, as shown on the attached Plan No. 1 for the storage of materials from Sunday 16 September 2012 until Thursday 18 October 2012 subject to BGC Construction agreeing to the following;

1. Payment of a non refundable fee of \$50,000 and a refundable Bond of \$5,000;
2. The erection of suitable signage on the temporary fencing to the satisfaction of the City at the applicant's expense;
3. The affected area are to be 'fenced off' to the satisfaction of the City; and
4. The affected area to be 'made good' at the end of temporary use, to the satisfaction of the Director Technical Services.

Moved Cr Topelberg, **Seconded** Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, **Seconded** Cr McGrath

"That a new Clause 2 be inserted as follows:

2. Lists an amount of \$50,000 for consideration, in the draft 2013/2014 Budget, for use in the vicinity of Loton Park."

AMENDMENT PUT AND CARRIED (8-1)

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

Against: Cr Harley

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (9-0)

COUNCIL DECISION ITEM 13.1

That the Council;

1. **APPROVES** the temporary use of Loton Park, as shown on the attached Plan No. 1 for the storage of materials from Sunday 16 September 2012 until Thursday 18 October 2012 subject to BGC Construction agreeing to the following;
 - 1.1 **Payment of a non refundable fee of \$50,000 and a refundable Bond of \$5,000;**
 - 1.2 **The erection of suitable signage on the temporary fencing to the satisfaction of the City at the applicant's expense;**
 - 1.3 **The affected area are to be 'fenced off' to the satisfaction of the City;**
 - 1.4 **The affected area to be 'made good' at the end of temporary use, to the satisfaction of the Director Technical Services; and**
2. **LISTS** an amount of \$50,000 for consideration in the draft 2013/2014 Budget, for use in the vicinity of Loton Park.

PURPOSE OF REPORT:

The purpose of the report is to advise the Council of a request received from BGC Construction for the temporary use of Loton Park for steel laydown area.

BACKGROUND:

The State Government is redeveloping the nib Stadium and as part of the redevelopment temporary fencing and path reconfigurations have been previously approved, and subsequently implemented in and around Loton Park.

This is working well and the Contractor was previously advised by the City that Loton Park or any portion thereof cannot be used for the storage of material unless absolutely necessary and should this be required it would require the approval of the Council.

DETAILS:

Request by BGC Construction:

BGC Construction has lodged an urgent application to use a portion Loton Park, which encroaches into the park ten (10) meters from the current pedestrian path, as shown on the attached plans for an additional steel laydown area.

BGC are requesting that the area be made available until the first Perth Glory game scheduled at the ground on 21 October 2012. They are proposing the following:

- That the area be fenced off with temporary fencing; and
- Area to be made good at the end of use.

City of Vincent Conditions:

In accordance with the City's 2012/2013 adopted Fees and Charges 'Sports Grounds and Reserves' Heavy Commercial Use, the maximum charge for the use of a reserve is \$2,800 per day with a minimum charge is of \$600. It is suggested that BGC be charged a medium price of \$1,500 per day. If approval to use the reserve is granted and BGC commenced using the park on 16 September 2012 until 18 October 2012 the following is recommended:

- Fee to use reserve: 33 days @ \$1,500 per day = \$49,500, Say \$50,000;
- Payment of a refundable Bond of \$5,000;
- Applicant to erect suitable signage on the temporary fencing to the satisfaction of the City at the applicant's expense;
- Area to be 'fenced off' to the satisfaction of the City; and
- Area to be made good at the end of temporary use, to the satisfaction of the City.

CONSULTATION/ADVERTISING:

Not applicable – Signage will be placed on the temporary fencing explaining why and for how long the area of park will be temporarily segregated.

LEGAL/POLICY:

The State Government signed the lease for the Stadium on 13 March 2012. As such, the City is no longer responsible for any works at the Stadium, effective from that date.

RISK MANAGEMENT IMPLICATIONS:

Low: The area will be cordoned off with temporary security fencing and made good by the applicant at the conclusion of the usage period.

STRATEGIC IMPLICATIONS:

This is in keeping with the objectives of the City's *Strategic Plan 2011 -2016*:

“Objective 2.1: Progress economic development with adequate financial resources.

2.1.2(a): Establish public/private/government alliances and partnerships to attract external funding and investment to enhance the strategic direction of the City.”

SUSTAINABILITY IMPLICATIONS:

Not applicable

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

It is therefore recommended that the Council approve the proposed temporary use of Loton Park to facilitate the nib Stadium Redevelopment Project subject to the conditions as recommended.

PROCEDURAL MOTION

At 7.30pm **Moved Cr Pintabona Seconded Cr Buckels**

That the Council proceed “behind closed doors” to consider Confidential item 14.1 as the matter relates to a Contract or a Contract which may be entered into by the Local Government and Confidential item 14.2, the appointment of Community Representatives to the City of Vincent Sustainability Advisory Group, as the matter relates to the personal affairs of a person.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

There were no members of the public present.

Executive Assistant (Minutes Secretary) – Jerilee Highfield and Journalists Lauren String 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 Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

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

14.1 CONFIDENTIAL REPORT: Beaufort Street Enhancement Working Group – Progress Report No. 5

Ward:	South	Date:	31 August 2012
Precinct:	Beaufort (13)	File Ref:	TES0067
Attachments:	Nil		
Tabled Items	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services; J Anthony, Manager Community Development; and C Wilson, Manager Asset and Design		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **NOTES** the progress to date of the Stage 1 Beaufort Street Enhancement Works as outlined in the report;
2. **APPROVES** the proposed Second (2nd) Stage Beaufort Street Enhancement Works, estimated to cost \$200,000 as follows; and

Item No	Proposal	Proposed Budget
1.	Major Artwork	\$ 95,000
2.	Secondary Art Installation	\$ 40,000
3.	Lighting Boxes	\$ 10,000
4.	Artistic Bike Racks	\$ 15,000
5.	Large Planter Boxes	\$ 10,000
6.	Landscape Improvement Works	\$ 15,000
7.	Stencil art, seating and contingency	\$ 15,000
	TOTAL BUDGET	\$200,000

3. **AUTHORISES** the City’s Administration, to liaise with the Beaufort Street Enhancement Working Group to deliver Stage 2 of the project.

COUNCIL DECISION ITEM 14.1

Moved Cr Carey Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

FURTHER REPORT:

This report was listed on the Agenda for the Ordinary Meeting of Council held on 28 August 2012 and had been withdrawn by the Chief Executive Officer.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of progress with the Stage 1 works and map out a way forward for the Stage 2 works of the proposed Enhancement Works in Beaufort Street.

BACKGROUND:

Ordinary Meeting of Council – 27 September 2011:

The Council was advised of the following guiding principles for the Beaufort Street enhancement as developed by the Working Group:

GUIDING PRINCIPLES/VISION FOR BEAUFORT STREET

How do we see Beaufort Street?

Beaufort Street is one of Perth's most vibrant, eclectic and diverse cafe and retail strips. It's a fun and lively mix of old and new architecture, trendy shops immersed with traditional stores – which all adds to a real sense of street culture and community.

The street is home to Perth's independent music radio station RTR FM, alternative film and arts venue The Astor Theatre and a cool collection of independent boutique fashion, homewares and book stores.

It also has a growing and popular bar and restaurant scene, with a number of new small venues adding to the vibrancy of the street, while a diverse range of restaurants and cafes making it a must place for local and tourists to eat.

All these factors make people passionate about Beaufort Street - as a great place to work, live and play.

How should streetscape design reflect this?

Bike racks, rubbish bins, bus shelters, seating and public art – which make the streetscape - should reflect this vibrant and eclectic street culture of Beaufort Street.

Any additions to the streetscape should not work to enforce a particular historical theme, like for example, art deco or alternatively, work to just to a Town of Vincent brand.

The over arching design guidelines for streetscape improvements and additions should be contemporary and innovative in nature, with the key consideration given to:

- *Establishing a pace of intrigue;*
- *Being design conscious ;*
- *Collaborative with local business;*
- *Unique experience;*
- *Activates urban spaces and creates new place for people to meet; and*
- *Pedestrian friendly*

Features	What does this mean?
<i>A place of intrigue</i>	<p><i>We do not want predictability in the urban design and development of Beaufort St. We want the visitor to be able to stumble on surprising features and places, such as:</i></p> <ul style="list-style-type: none"> • <i>Design features that are up high, or around corners</i> • <i>Shops located up stairwells</i> • <i>Temporary artworks (including street art)</i> • <i>Textured shopfronts, bollards, bike racks, verandas and signs.</i>
<i>Design Conscious</i>	<p><i>The current 'percent for art' pieces installed in the street to this date have not proved to garner community interest. Design pieces should be:</i></p> <ul style="list-style-type: none"> • <i>Installed at a range of height levels, (pavement, and eye level, overhead) so pedestrians can interact with them.</i> • <i>Sympathetic to the history of the street, while embracing a contemporary look.</i> • <i>Created by Western Australia's best designers (not just the cheapest bidder for the developer) in order to increase the profile of our distinctive WA designer/makers.</i>

Features	What does this mean?
	<ul style="list-style-type: none"> • <i>Willing to embrace less-figurative, traditional forms. Alternative art styles such as pop art could be embraced.</i>
<i>Collaboration</i>	<p><i>More collaboration between designers and shopkeepers is needed. Privately-owned wall and spaces present an opportunity to increase the vibrancy of Beaufort.</i></p> <ul style="list-style-type: none"> • <i>How can we encourage the retailers to embrace the unique aesthetic of Beaufort St?</i> • <i>How can we encourage retailers to make temporary installations on their verandas and frontages, to increase Beaufort St's reputation as a place of change and intrigue?</i>
<i>Unique Experience</i>	<p><i>In order for Beaufort to be a 'destination street,' continue to promote a unique experience in both terms of streetscape design – and wider retail experience.</i></p> <ul style="list-style-type: none"> • <i>The bus stops are unimaginative.</i> • <i>Public seating should not follow the visual code for 'the Town of Vincent'. It should have the unique look and feel of Beaufort St.</i> • <i>Beaufort St offers many quirky and eclectic retailers and this diverse mix should continue to be encouraged.</i> • <i>Do not wish to see one type of business predominating over others. Beaufort St should remain a mixed retail, cafe and bar precinct.</i>
<i>An activated urban space</i>	<p><i>City building expert Fred Kent has offered clues on what an activated urban space looks like. People can gather and relax in activated spaces- and the key indicator if you look at the space is 'people are touching each other.'</i></p> <ul style="list-style-type: none"> • <i>Beaufort St offers few spaces where people can gather. A worker in a shop doesn't have a place to stop and rest at lunchtime, unless they are a customer at a cafe.</i>
<i>Pedestrian Friendly</i>	<p><i>The most sustainable cities are pedestrian-friendly. Beaufort St has some barren stretches, which reduce the pedestrian experience.</i></p> <ul style="list-style-type: none"> • <i>Continue to work to slow traffic down.</i> • <i>More imaginative use of vegetation could help to provide shade and add visual interest.</i> • <i>Trees that are more sculptural, or trained/pruned to produce an 'arcade' feel will help the look an amenity of Beaufort St. For example, we could do more with the trees along the edge of the Barlee St Car park.</i> • <i>Growing vegetation at height (from balconies or rooftops) should be encouraged, to help soften the street, and make it more pedestrian-friendly.</i>

Ordinary Meeting of Council - 28 February 2012:

The Council considered a further report on the first (1st) stage of the proposed Enhancement Works in Beaufort Street where the following decision was made (in part):

"That the Council;

- 1. APPROVES the proposed first (1st) stage Enhancement Works in Beaufort Street, estimated to cost \$182,400.;*
- 2. AUTHORISES the City's Administration to liaise with the Beaufort Street Enhancement Working Group to deliver Stage One (1) of the project."*

Ordinary Meeting of Council – 12 June 2012:

The Council considered a separate report on some additional art work in Beaufort Street where the following decision was made:

"That the Council APPROVES the commission of wall art by the artist, 'Beastman', for an amount up to \$2,000 (excl GST) at No. 527 Beaufort Street, Highgate (on the south west corner of Beaufort and Harold Streets) or another suitable location as determined by the Chief Executive Officer."

DETAILS:

'Beastman' Artwork:

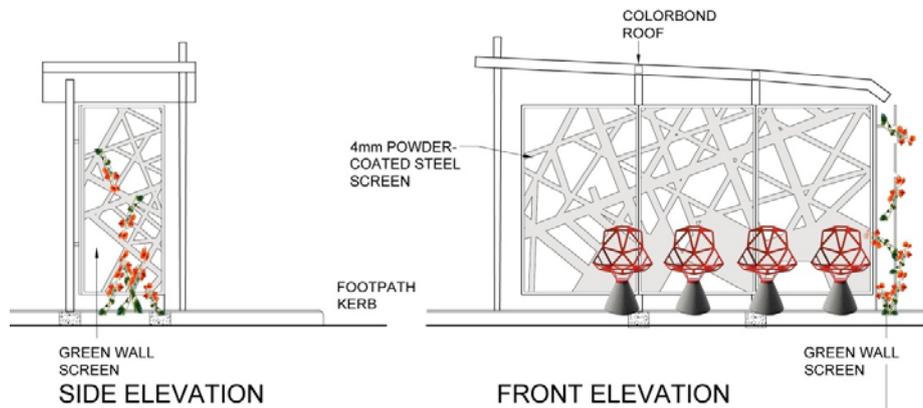
The artwork has been completed on the wall of the building adjoining the existing public laneway east side of Beaufort Street south of Walcott Street.



Update of Stage 1 works:

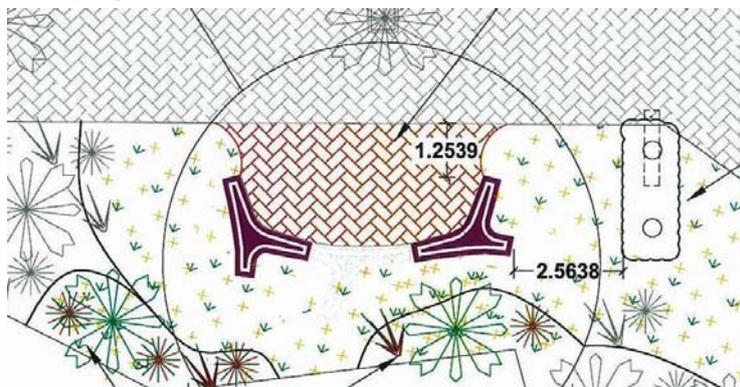
Bus shelters:

Bus shelters have been fabricated and currently awaiting delivery of the seats. Once the seats arrive the shelters will be ready for installation. They will be replacing the two (2) existing bus shelters on the east side of Beaufort Street between Walcott Street and Broome Street.



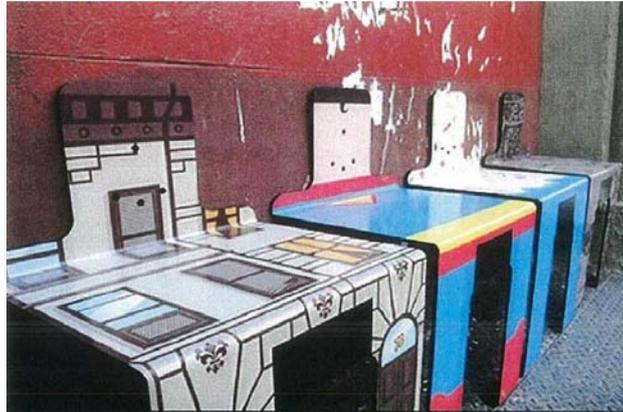
Twig Public Seating/Landscaping:

The seating has being manufactured and is ready for installation. An MOU is currently being prepared between the City and the adjoining business. Once the MOU has been signed off, this art piece/landscaping will be installed/undertaken.



Small Style 'New York' Seating:

The seats have been fabricated and are waiting for artwork to be finalised (indicative below).



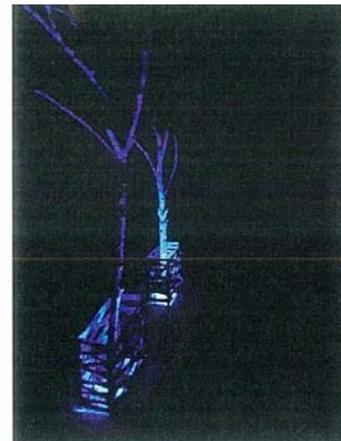
Street litter bins:

Bins have arrived and are ready for installation. Bin locations currently being determined in liaison with the Beaufort St businesses and the local community. Once installed planting will be implemented at the base of the bins. The plants will be Dianella species (Blue Berry Lily) – small blue flower.



Planter Boxes:

This is currently still being determined due to cost implications and lighting logistics.



Proposed Stage 2 Enhancement works:

Ordinary Meeting of Council held on 27 September 2011:

The following decision was made (in part):

“That the Council;

2. *REQUESTS that the Beaufort Street Enhancement Group provides advice on:*
 - 2.2 *the proposed funding to be listed for the 2012/2013 budget to commission more substantial works for the project;..”*

The Council subsequently provided \$200,000 for the Stage 2, Beaufort Street Enhancement Works in the 2012/2013 budget.

Beaufort Street Enhancement Working Group Meeting – 13 August 2012:

Following a great deal of discussion, liaison with artists, previous meeting of the Working Group etc, at this meeting the following way forward was recommended:

The draft proposals and budgets are indicated below (Refer Attachment 9.2.1).

Item No	Proposal	Proposed Budget
1.	Major Artwork – Bremick – ‘BEAUFORT STREET’ lettering on stage (adjacent to Barlee Street car park)	\$ 95,000
2.	Secondary Art Installation – Gillie and Marc ‘Dog and Rabbit on a bike’ corner Grosvenor and Beaufort Street	\$ 40,000
3.	Lighting Boxes x 10 – A2 size, for small exhibitions located undercover (awnings) - locations to be determined	\$ 10,000
4.	Artistic Bike Racks – locations to be determined	\$ 15,000
5.	Large Planter Boxes x 5 – Suitable verge locations to be determined	\$ 10,000
6.	Landscape Improvement Works (trees/garden beds) – additional trees and improve/add to existing & new garden bed areas.	\$ 15,000
7.	Stencil art, seating and contingency – to be further developed/determined.	\$ 15,000
	TOTAL BUDGET	\$200,000

Major Artwork – BEAUFORT STREET lettering on stage (adjacent to Barlee Street carpark):

The Beaufort Street Enhancement Group canvassed various different options for a major public art work for the precinct.

One of the concepts requested was to encompass an iconic work at a suitable strategic location on the street, providing the potential for signage/lettering depicting ‘Beaufort Street’ either in a literal or figurative expression of form.

Artists were encouraged to give consideration to an iconic public art work, located on or near the corner of Barlee Street and Beaufort Street. Artists were advised that works may be located from the corner as well as along the verge along Beaufort Street in front of the Barlee Street Carpark – providing an even larger space to accommodate a significant public artwork.

They were further advised that submissions which use the words “Beaufort Street” or other typography to capture the unique and eclectic nature of the street precinct would be strongly welcomed as the piece would become a visual draw card and marker for the Street to capture the attention and imagination of locals and visitors alike – as well as potentially be used in promoting the precinct.



Example of textured finish (refer above)



The working group considered that the BEAUFORT STREET lettering would be polished concrete in the finish/colour as indicated above

The proposed design is based on the concepts of 'Explore', 'Play' and 'Create'.

The concept for the *BEAUFORT STREET COMMUNITY PLATFORM* was developed from direct responses to the Barlee Street site, with consideration given to the ideals of the renowned 'Placemaking' approach to Public Art and urban activation.

Standing at the site, the designers asked themselves '*What is Beaufort Street?*'

Why has Beaufort Street effortlessly become a natural meeting point for community, business, locals and visitors alike? The designers believe that the following best characterises the crux of what Beaufort Street is:

The community make and characterise places which, in turn, hold and nourish that community

Inspired by the collective arts of the local area, both visual and performance based, as well as the eclectic nature and fabric of the street and those that surround it, the designers wanted to explore how to engage and bring together the disparate parts of this community, for people to take ownership of the piece and to create a statement of place and provided a 'platform' for opportunity and communion.

The piece is essentially defined by two elements; the Platform and the Letters. Large, classic letters with urban inspired topography boldly feature to identify the locale. Dissecting the letters is an elevated platform which provides a space that can service the needs of the everyday mundane through to arbitrary encounters or the rare spectacle of community events.

The physical presence of the Beaufort Street Community Platform seeks to evolve from merely being a static piece, however, using the movement of traffic and pedestrians to engage the public on various levels. The initial impact identifies the strip and conveys a bold statement of place that plays with scale and possibilities. On closer inspection observers will find within the form a more intimate scale that invites them to enjoy the sun and lunch there on a daily basis and provides an iconic place to meet friends before heading off to explore the bounty of the street even as it also serves as an exciting venue for community events.

Roadways and most urban landscapes tend towards the monochromatic. Greys and the industrial, muted colours of construction materials dominate the landscapes with shopfronts, plantings and art installations providing some of the only relief for people weary of the city and its confines.

Letters

The interlinking typography, held together when supported by the stage but slowly falling into collapse and disarray when not, is a metaphor in itself for the many varied ways in which a strong community supports each of its members.

The letters will be a monolithic form constructed of concrete, an industrial material used both for its longevity and what it says about urban life and its distinct connections and relationships.

Pattern

Abstract colour and form within the platform's tessellated surface will create the appearance of a Persian rug, the nature of which will provide a sense of familiarity.

A striking yet precise mapping of contrasting green hues and patterns will give interest from a distance whilst the individual elements will add intrigue on closer inspection, allowing and inviting people to uncover for themselves a private moment as they engage with the form. The final design elements assembled to form the rug, rather than being literal representations, will be abstracted representations of the makeup of Beaufort Street.

Colour

Steering away from primary colours and those often used by multinational fast food companies, the initial colour of the oversized lettering will be a contemporary chosen for its bold but inoffensive hue reminiscent of the colours found in many of our native flora, modern graffiti art, traffic lights etc.

Of course, the green of the rug, inspired by nature's carpet, grass and low native groundcovers, will also therefore be compatible with the lettering and when set within the concrete and steel edge detail, this balance of industrial and nature-inspired colours will sit beautifully.

Future community interaction with the piece could illicit exciting changes to the colour and treatment of the letters, bringing together seasonal themes or responses to world events, festivals and art movements e.g. yarn bombing, graffiti art, World Environment Day.

Art Installation – 'Dog and Rabbit on a bike' corner Grosvenor/Beaufort Street:

This is an interactive bronze art piece which will be very engaging and a lot of fun to passing pedestrians inviting them to pose in front of the rabbit/woman's camera and have a bit of fun.

In developing the concept, it was important for the artists to bring a high level of design, creativity, and of course originality. The overriding theme has to be "ONLY in Beaufort Street", meaning the sculpture had to bring a level of surprise that was true to the street - which is eclectic, vibrant and slightly mischievous.

The sculpture plays on the idea of the street being a destination for visitors and tourists - where the street life is watched and photographed. The sculpture is a contemporary and original art piece that aims to capture the imagination of residents and visitors alike.

The sculpture will be installed on the pavement so pedestrians can interact with it and it will fit in very well with the history and style of the street as it is created in bronze but still has a very contemporary feel. As pedestrians will be able to interact with it, and touch it, the most loved areas over time will become more gold in colour and the sculpture will grow into its space and bring a fresh, fun and exciting element to the pavement.

The bronze sculpture will take approximately 6 to 8 months to complete.



Lighting Boxes – Location/s to be determined:

In addition to major art works located on Beaufort Street, it is also proposed to develop other art pieces which are less obvious and encourage further investigation. Ten (10) A2 size exhibition boxes will be constructed and located along different spaces on the street. These exhibition boxes, which will be lit up at night, will not have permanent art but rather enable different “mini” art exhibitions – whether it be paintings, sculpture or mixed media.

The boxes will have scratch resistance glass and be located under awnings to be protected from weather. A call out to local businesses asking for potential locations will be undertaken via the Beaufort Street Network.



Artistic Bike Racks:

A large number of designs are still being sought by the Advisory Group, which best reflect Beaufort Street. This may be best done in conjunction with the new funding allocated for bike racks across the City of Vincent, to ensure best return for funds spent. The group considered that following bike rack examples would be suitable and would add to the existing bike racks which would remain and be refurbished.



Landscape Improvement Works:

In conjunction with engineering staff who have provided advice on sight lines etc the staff have further investigated the opportunity for additional street verge trees (Bradford pears) to intensify the existing verge planting.

It is proposed that an additional thirty five (35) street verge trees can be planted providing closer tree spacing's and approximately 250m² of paving will be removed near intersections allowing garden areas to be created to break up the expanse of hard surfacing. Additional funding may be required or the project staged.

Planter Boxes:

The Advisory Group considered that in addition to much needed landscape improvement works, additional plants are needed in planter boxes located on the street. A number of different planter boxes have been looked at which are in sync with colour themes of the new bus stops and new rubbish bins (industrial colours - steel, black, red etc).

The key focus is to create mini community gardens – where local businesses are encouraged to take responsibility for the care of the plants. One proposal is to trial herb gardens within the planters, located nearby restaurants and cafes.

The planter boxes will also compliment the other elements of the greening plan for Beaufort Street, including creepers growing on the new bus stops and plantings at the base of the street litter bins.



The above planter may be considered in two (2) or more suitable locations along the street.

Stencil art, seating and contingency:

The Advisory Group has proposed to set aside funding for a number of potential smaller art projects, which will enhance Beaufort Street. This includes, but is not limited to, encouraging stencil art wall on pavement and other City of Vincent areas, as well as private buildings (with permission of the owners).

In addition, the funding would be used to make the street more dog friendly, with inclusion of permanent dog water bowls and leash holders for dogs.

Further funding is recommended to be set aside for new seating on the street, which is still being developed.

CONSULTATION/ADVERTISING:

The Stage 2 proposals will be advertised in accordance with the City's policy when further developed.

LEGAL/POLICY:

Beaufort Street is classified as a District Distributor A road under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

Low: Improvement to aesthetics and amenities.

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

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

SUSTAINABILITY IMPLICATIONS:

To improve the economic vibrancy of the area and make the area more sustainable for both business activities by the type of infrastructure improvements proposed.

FINANCIAL/BUDGET IMPLICATIONS:

A total of \$ 382,400 has been included in the 2012/2013 budget for Stage 1 and Stage 2 Enhancement Works.

COMMENTS:

The Beaufort Street Enhancement Working Group has met on a number of occasions and many ideas/proposal have been discussed.

Stage 1 works – These are well on the way and it is considered these will all be installed simultaneously by the end of October 2012.

Stage 2 works – Consensus has been reached by the working group as presented in the report. It is therefore recommended that the Council approve the proposed Second (2nd) stage Enhancement Works in Beaufort Street, estimated to cost \$200,000 and authorises the City's Administration, to liaise with the Beaufort Street Enhancement Working Group to deliver Stage 2 of the project.

14.2 Appointment of Community Representatives to City of Vincent Sustainability Advisory Group – Further Report

Ward:	-	Date:	7 September 2012
Precinct:	-	File Ref:	ORG0079
Attachments:	001 – Terms of Reference 002 – Confidential Nominations		
Tabled Items:	Nil		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY to amend the Terms of Reference to;**
 - 1.1 **Allow for four (4) Community Representatives.**
 - 1.2 **The City’s Officers as follows;**
 - 1.2.1 **Director Planning Services;**
 - 1.2.2 **Director Technical Services;**
 - 1.2.3 **Sustainability Officer; and**
 - 1.2.4 **Project Officer - Environment.**
2. **APPOINTS the following two (2) Community Representatives to the City's Sustainability Advisory Group for the term from date of appointment until 12 October 2013;**
 1. **Mr Sid Thoo; and**
 2. **Mr Alex Bruce.**
3. **AUTHORISES the City to host a bi-annual ‘Sustainability Round Table’ of which all persons that have been nominated will be asked to participate.**

COUNCIL DECISION ITEM 14.2

Moved Cr Maier Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

Cr Pintabona departed the Chamber at 7.52pm.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY
BY AN ABSOLUTE MAJORITY (8-0)**

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

Cr Pintabona returned to the Chamber at 7.55pm

FURTHER REPORT:

This matter was considered at the Ordinary Meeting of Council held on 28 August 2012; and was deferred to enable the Mayor and Officers to further consider the nominations.

The Mayor and Manager Strategic Planning Sustainability and Heritage Services met on 4 September 2012 to consider the nominations and it is recommended that Mr Sid Thoo and Mr Alex Bruce be appointed.

1. Sid Thoo is an Architect whose work focuses strongly on sustainable design and is therefore an ideal replacement for Matthew Young, an Architect whose expertise was of great value to the group.
2. Alex Bruce is an engineer who specialises in life-cycle assessments and sustainability ratings. His knowledge could contribute significantly to shaping the City's approach to sustainable development.

Sid Thoo and Alex Bruce's range of skills and knowledge would balance well with those already present in the group, which are slanted more toward environment and transport.

With regard to the other three nominees:

1. Chiara Pacifici is being contracted by the City to conduct workshops for the property industry. This may pose a potential conflict of interest with regard to her membership of the SAG;
2. Marc Drexel has offered his services for the same project and will likely be involved, raising the same potential conflict of interest; and
3. The Fifth nominee David Aitcheson was not discussed in the meeting with the Mayor, but his skills and background appear to be the least relevant to the group.

PURPOSE OF REPORT:

The purpose of the report is for the Council to appoint a Community Representative to the City's Sustainability Advisory Group for the term from date of appointment until 12 October 2013 (unless otherwise specified).

BACKGROUND:

In July 2012, a vacancy occurred in the City of Vincent's Sustainability Advisory Group (SAG), due to the resignation of a former community representative.

An advertisement calling for nominations from the community was placed in the local newspaper on 31 July 2012 and nominations closed on 20 August 2012.

At the close of the advertising period, five (5) nominations were received.

The following is a summary of each nominee. A copy of the nominees' Application Forms (including personal details/information) is attached as a confidential appendix. *(For privacy reasons, personal contact details have been deleted.)*

Name	Suburb	Membership of Community Organisations	Summary of Comments
Mr David Aitcheson	Leederville	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Interested in sustainable development, to get involved and give something back to the community. • Recently completed a Diploma of Sustainability and is eager to develop these skills.

Name	Suburb	Membership of Community Organisations	Summary of Comments
Mr Alex Bruce	Leederville	<ul style="list-style-type: none"> • Western Subiaco Rugby Club 	<ul style="list-style-type: none"> • Feels that the City is in a fantastic and exiting position to provide leadership in sustainable community development. There are many opportunities to explore innovative ways to provide quantifiable environmental and economic benefits to residents. • Would like to be part of realising some of the ambitious environmental goals of the SAG and believes has the skills, experience and contacts to make this happen. • Also been involved in the Subiaco Sustainability Committee.
Mr Marc Drexel	Perth	<ul style="list-style-type: none"> • REIWA • UDIA • Cultural Corridors 	<ul style="list-style-type: none"> • As a Sustainable Property Consultant and an inner-city resident, is keen to be involved in the future direction of the City. • Being proactive to planning, current and future Council policy has always been a great interest. • Impressed with the position the City has taken with real issues confronting the Local residences and intern the leadership Council is showing. • Has been involved in all aspects of the property cycle for many years. Wishes to share this knowledge with the Council and fellow advisory group members and assist in advising on the City's vision and strategic objectives.
Ms Chiara Pacifici	Leederville	<ul style="list-style-type: none"> • Western Subiaco Rugby Club 	<ul style="list-style-type: none"> • Passionate about making a difference in the Community, especially in improving the sustainability and affordability of housing. • "<i>Lives, works, eats and plays</i>" within the boundaries of the City and keen to support the many small business in the area. • Has previously worked as a consultant for regional Councils and Federal Government sustainability and awareness programs, which has helped developed an understanding of delivering information at grass root levels. • Feels strongly that she can represent the interest of the business community, the youth, owners, property developers and help inform Policy to better guide decision makers (all these groups), towards making a change that will work for them and the environment.

Name	Suburb	Membership of Community Organisations	Summary of Comments
Mr Sid Thoo	Leederville	<ul style="list-style-type: none"> • Australian Institute of Architects (AIA) • Association of Building Sustainability Assessors (ABSA) • Alternative Technology Association (ATA) • AccuRATE Software User Group 	<ul style="list-style-type: none"> • As a resident in Leederville for the past 8 years and as an architect and educator working in the area of eco-effective building design and sustainability, welcomes the opportunity to make a positive contribution to the Group. • Believes that we have a great responsibility to improve and enhance the sustainability of our built environment. • Is a NatHERS accredited assessor and able to provide star ratings for new homes and renovations, also a Director of eTool – Software tool that can calculate the total carbon and energy impact of buildings. • Conducts regular seminars for the general public on sustainable design, many of which are delivered on a volunteer basis. • Looks forward to the opportunity to assist the City in developing its sustainable vision for the future.

The objectives of the Sustainability Advisory Group are to act in an advisory capacity relating to sustainability and natural and built environmental matters and provide advice and make recommendations relating to the formulation of a community and Council vision of sustainability, sustainability initiatives and programs, etc.

CONSULTATION/ADVERTISING:

Expressions of Interest were advertised in the local newspaper for three (3) weeks.

Emails were also sent to five community representatives who had previously expressed an interest or who the City felt would be interested in joining the Group.

LEGAL/POLICY:

The Local Government Act 1995, Sections 5.8 to 5.25 allows local governments to appoint committees and prescribes the legal requirements for these.

Since its inception, the City has been operating by having two Council meetings each month (except January) and no committee system. Since late 1995, it has used various Advisory Groups.

The Advisory Groups do not have any legal status and their prime role is to make recommendations for the consideration of the Council. Advisory Groups cannot perform the role of Committees.

The Terms of Reference allow for the composition of the Advisory Group, as follows:

1.1 Four (4) Council Members

Four (4) Council Members, as follows;

1. Mayor Hon. Alannah MacTiernan (*Chair*)
2. Cr Matt Buckels
3. Cr Warren McGrath
4. Cr Dudley Maier

1.2 Up to Three (3) Community Representatives (incl. Business)

Having specialist knowledge and interest in the sustainability of the City of Vincent.

The current community representatives are as follows;

1. Ms Caroline Easton, North Perth
2. Ms Jodie Ferdinando, Mount Hawthorn
3. *Vacant*

1.3 Council Staff

1. Director Planning Services
2. Director Technical Services
3. Sustainability Officer*
4. Project Officer - Environment
5. Council Officers (*as required*)

* *Responsible Officer.*

RISK MANAGEMENT IMPLICATIONS:

Low: Advisory Groups play an advisory role, however, do not have any legal status under the Local Government Act 1995. The operation of the Advisory Groups must be closely monitored to ensure that they operate in accordance with the City's Policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Plan for the Future 2011-2016 - Key Result Area Four – "Leadership, Governance and Management" and, in particular, "4.1 - *Manage the organisation in a responsible, efficient and accountable manner*".

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The costs associated with the Advisory Groups are not specifically itemised in the City's budget, they are absorbed within the administration costs and allocated to the various sections.

COMMENT:

The appointment of up to four (4) community representatives will ensure that the Advisory Group can continue to function, with input from the community's perspective. The City's officers have been amended to reduce the number for four, which is considered most adequate. It is considered that the revised composition provides a more balance Advisory Group.

PROCEDURAL MOTION

At 7.55pm **Moved Cr Topelberg Seconded Cr McGrath**

That the Council resume an "open meeting".

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (9-0)

15. CLOSURE

There being no further business, the Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 7.55pm 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 Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 11 September 2012.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2012