



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

24 JULY 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 24 July 2012, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, A/Mayor Cr Warren McGrath, declared the meeting open at 6.00pm 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:

Mayor Hon. Alannah MacTiernan - apology for 24 July 2012 due to Council commitments.

(b) Members on Approved Leave of Absence:

Cr John Carey – approved leave of absence from 4 July 2012 to 6 August 2012 inclusive for personal reasons.

(c) Present:

Cr Warren McGrath (*Deputy Mayor*) Presiding Member

Cr Matt Buckels	North Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward

John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

Jerilee Highfield Executive Assistant (Minutes Secretary)

Media

David Bell Journalist – *"The Perth Voice"* (until approximately 8.15pm)

Approximately 14 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. Oscar Boyne of 73 Tate Street, Leederville – Item 9.1.5 Stated the following:
 - The Proprietor the il Circolo, the Cafe that currently operates from 22 Angove Street.
 - He stated that the restricted hours proposed are unacceptable and unrealistic, it would make it impossible to operate as a small bar and impossible to reclaim the cost associated with starting up a small bar – in excess of \$500,000.
 - He had liaised with the architect Bruce Arnold and Councillor Topelberg who had proposed an amendment and he was for the most part satisfied, however there is still an issue relating to the critical hours of Friday and Saturday night's.
 - Friday and Saturday night's are the busiest nights within the industry and critical to ensuring the success of the venue.
 - He asked that the Councillors allow him to trade to the full extent of the permissible hours under the liquor control act for the Friday and Saturday and was happy to restrict the trade throughout the week to 11pm and asked to wear the responsibility of eliminating any disturbance in the area.
2. Sandra Bransby – address not stated - Item 9.1.4 Stated the following:
 - Bevilaqua Design Development was engaged to produce a scheme to rectify the situation using the current Design Application as guidance.
 - A comparison of the two schemes were provided and distributed to all Councillors yesterday and emailed by Kim Bevilaqua. This identifies the actual two comparisons between existing approval and proposed 12 unit development.
 - The actual bulk and scale of the proposed development is significantly smaller than what was previously approved. The new development offers a better social mix of four (4) single bedroom and eight (8) two bedroom apartments. The new scheme with previous building plans now incorporate a better Body Corporate amenity. All apartments have garden or North West facing terraces.
 - The parking is concealed from Palmerston Street, with three times the required R80 front setback, additional units, and greater price range for purchases.
 - Density and height transition to under developed high density to the South, less than 7% over shadowing to the adjoining site and better frontage to Palmerston Street.
 - This was submitted to the D.A.C which was recommended that the application be redesigned. Unfortunately the D.A.C does not take into account the client's grief - a very important factor when designing the project for a client.
 - It is unfair and unreasonable to expect the client to redesign the building based on the view of the D.A.C without the real facts behind the project. It is imperative that this be considered in the determination of this application.
 - She asked that the recommendation put forward for the proposed development be overturned.
3. Penny Roger of 96 Palmerston Street, Perth – Item 9.1.4 Stated the following:
 - She advised that she expected some form of development would occur to the lot, as the house is extremely shabby and dilapidated and vandals are living in it.
 - She had concerns about the extent of the development proposed, as the density of it, on paper looks quite light, it is actually quite high for the area and will change the streetscape of the area. Another concern is also the amount of traffic that will occur.
 - The two bedroom apartments will have two cars for each apartment and will have to park on Palmerston Street, as there will not be enough parking.

4. Pamela Fruin of U2/101 Palmerston Street, Perth – Item 9.1.4 Stated the following:
 - Regarding the most recent proposal, having twelve (12) apartments on that site, is well and truly above the guidelines and would like it to change.
 - The plans were passed last year sometime, for three (3) apartments at the rear that were to be three (3) storeys, that height restriction seemed at the time excessive, a compromise could be negotiated.
 - The current proposal in the agenda (without seeing the amendments) does nothing for the site and sets a very dangerous precedence for the future.
 - Her main concerns were the density, size and scale and the appropriateness of the architecture in the landscape.
 - She asked that the Councillors support the officer recommendation and refuse the plans.

5. Megan Anwyl of 116 Palmerston Street, Perth – Item 9.1.4 Stated the following:
 - When the original approval was given for three (3) storey units at the rear half of the dwelling it was on the basis that the original dwelling would be kept, for that reason the residents didn't object.
 - We respect the right of the developer to carry out the development, however we felt that twelve (12) units on one block is ridiculous and we think it is out of keeping with the nature of the street as most dwellings are single dwellings and there are some very nice two (2) storey terrace style dwellings.
 - We would really like to preserve whatever history is possible. We passionately like our street. There were a number of residents that couldn't attend the Council meeting tonight,
 - I personally oppose the demolition, in addition to this I think it would be great if the Council could seek to do some further work the developers around how best to enhance what is already a great block in a great street.
 - Finally all the residents are keen to work in a cooperative way; I feel there is a much greater opportunity for the Council to be involving residents in meaningful consultation.

6. Peter McIver of 156 Brisbane Street, Perth – Item 9.1.4 Stated the following:
 - He asked that the Council not approve the demolition of this building. In the last couple of years it has had some deterioration but very minor.
 - There have been too many fine old buildings in our community demolished in the last few years and I hope that the Council will not approve the demolition of this building.
 - It is really a beautiful building and I have not seen many very like it in the area, and I feel that a reasonable compromise for the current developer is for the building to be kept and approval given for two (2) storey buildings facing on the park as there are a number of existing two (2) storey terraces already facing onto the park.
 - This building should be preserved and should not be demolished.

7. Kim Bevilaqua of Bevilaqua Design Development – Item 9.1.4 Stated the following:
 - He is the architect for the project and advised that the approval for the demolition had already been granted, and approved by the Council.
 - The client purchased the property based on the fact that it was not listed on the heritage list. The client recently attempted to sell the property with no takers.
 - The property is rated R80 and the development being proposed is within that density and appropriate in scale and size and all the parking will be of the road and behind the development concealed.

8. Alyssa Reid of 487 Beaufort Street, Highgate – Item 9.1.3 Stated the following:
 - She sent an email recently with the proposal waiving the figure of parking in-lieu or at the most being charged for the one bay that is historically deemed as a commercial site, which will not be on site if this application is approved.
 - This would allow us to fully use our budget as planned, to create this healthy living modern lifestyle experience cafe.
 - We have been so appreciative of the work of the Planning Officer to get us to this point today, but when looking at this figure we are currently being given \$24,672 calculated even at a shortfall requiring 7.71 car bays which is an amount multiplied by \$3,200 per bay, I think instantly the thought is how high this figure really is even with the shortfall being placed in consideration.
 - This amount of money will dramatically affect our business budget.
 - Asked if there any other ways that we can contribute to the City of Vincent, by taking part and getting involved in the new menu wise tailored calorie program, that is currently running or any other program we would be more than happy to take part.
9. Erin Gauntlet of 18 Claverton Street, North Perth – Item 9.1.5 Stated the following:
 - She is a Local Resident, and the small strip in Angove Street, North Perth is a fabulous addition to the neighbourhood and any further development in terms of eatery, small bars just brings further vibrancy and interest to the area.
 - Over the last few years this strip has developed and there have been no problems associated with this.
 - I think that any application that brings vibrancy and interest to an area should be encouraged
 - Regarding the proposed restricted trading areas, I feel that is placing an unnecessary restriction and will be setting up a small business to fail.
 - I support the application and its entirety.
10. Anthony Budimlich of U8/524 Abernethy Road, Kewdale – Item 9.1.2 Stated the following:
 - He is the senior building and design consultant for Metrostrata developments, and spoke on behalf of the builder and the owners.
 - The officer recommendation seeks the Council to approve the application and the conditions of issuing the building permit are acceptable to the builder and to the owners.
 - He is seeking the Council to accept the recommendation for approval.
11. Bob Crowe of 9 Hyde Street, Mount Lawley – Item 9.1.7 Stated the following:
 - He is a committee member of the Men's Shed.
 - At the beginning of last year a meeting had been called and finally got something on the way. Recently Lottery West had allocated a grant to their organisation and with the money already placed a side by the then Town Of Vincent, it looks like we can proceed fairly soon.
 - He was enthusiastic to getting this started. There are around 100 people on the list of who would really like to attend.
 - The Council have already waived the planning and application fee so we hope we can start soon.
12. Ramdas Sukaran of 20 View Street, North Perth – Item 9.1.7 Stated the following:
 - Speaking on behalf of the Multicultural Services Centre. He is the Executive Director.
 - Until a few months ago the opening hours have changed from opening six (6) days a week to currently opening five (5) days a week.
 - The impact of the new Wellness Centre would be much less than the area has experienced for the last fifteen (15) – twenty (20) years.
 - The service we are providing is for the seniors that have migrated to Australia since the Second World War and who have done a lot for this country, this state and this neighbourhood.

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

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Minutes of the Ordinary Meeting of Council held on 10 July 2012

Moved Cr Topelberg Seconded Cr Pintabona

That the Minutes of the Ordinary Meeting of Council held 10 July 2012 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

6.2 Correction of Minutes - Ordinary Meeting of Council held on 22 May 2012

Moved Cr Maier Seconded Cr Buckels

That the Minutes of the Ordinary Meeting of Council held 22 May 2012 be corrected on page 48 to read as follows;

“PROCEDURAL MOTION – Item 9.2.1 Forrest Park, Jack Marks Reserve and Brigatti Gardens, Mount Lawley/Highgate – Further Investigation of Possible Amenity Improvements

Moved Mayor MacTiernan, Seconded Cr Pintabona

That the item be DEFERRED to a Community Forum in June/July 2012, for further consideration.”

CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member A/Mayor Cr Warren McGrath read the following;

7.1 Beatty Park milestone reached - indoor pools now open

On behalf of the Mayor, I am pleased to announce that the \$17 million redevelopment project for the Beatty Park reached its first significant milestone on Monday with the opening of the rejuvenated indoor pool.

The 8-lane indoor heated pool has been completely resurfaced with high quality ceramic tiles to ensure the pool is of the highest industry standard.

It is very pleasing that the project is progressing on time and, more importantly, within budget. The opening was timed to ensure we could resume the massive swimming lesson programme at the beginning of term and for summer. The pool will also be open for casual users.

The new 10-lane outdoor pool will open in late October and the grand opening of the new two-level building and its fitness facilities is scheduled for December, coinciding with the 50th anniversary, so all going well the new Beatty Park facility will be fully operational before Christmas.

The Beatty Park Swim School is now taking enrolments for swimming lessons and the Swim Shop is open at reception.

On behalf of the Mayor Hon. Alannah MacTiernan and the Council I would like to take the opportunity to thank the Project Team comprising, Chief Executive Officer, John Giorgi, Centre Manager, Dale Morrissy, Co-ordinator Aquatic and Operations, Jeff Fondacaro, Director Corporate Services, Mike Rootsey, Property Officer Kon Bilyk and the Architect, Damian Sita from Peter Hunt Architect and Perkins Builders for all their hard work to date.

7.2 HYDE PARK LAKES RESTORATION PROJECT

Also would like to take the opportunity to provide announcement, as the Council has not had the opportunity, on the Hyde Park Lakes Restoration Project since the Special Council Meeting held on 20 June 2012, were we awarded the tender for the Hyde Park Restoration project.

It is pleasing to report that good progress is being made, including:

- Site meetings between the City's Officers and the Contractors;
- Investigations of options for the sediment trap and retaining wall; and
- Progress reports to the Australian Government Department of Sustainability, Environment, Water, Population & Communities - so that our grant funding can be obtained.

I understand that the Council received an extension and Grant funding, It is anticipated that ground works will commence at the Hyde Park Lakes in September and currently the contractor is planning how that development can take place with the minimum impact on the community and also the park.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr McGrath advised that he does **not** have an interest in Item 9.5.5 – Information Bulletin particularly IB05 & IB09 (as shown in the agenda), as they relate to Mindarie Regional Council and not Tamala Park Regional Council. He asked that this be corrected in the minutes.
- 8.2 Cr McGrath declared an Impartiality interest in Item 9.5.3 – Tamala Park – Amendment to Establishment Agreement. The extent of his interest being that the company he works for and has a number of shares, is providing Environmental Consultancy services to the Tamala Park Regional Council.
- 8.3 Cr Topelberg declared an Impartiality interest in Item 9.1.5 - Nos. 22-28 (Lot 24 ; D/P 12501) Angove Street, North Perth – Proposed Change of Use from Shop, Eating House and Office Building to Shop and Small Bar (Unlisted Use). The extent of his interest being that the applicant is an occasional client of his business. He stated that he has not had contact with the applicant in relation to the proposed small bar other than to explain his proposed amendment.
- 8.4 Chief Executive Officer John Giorgi declared an Impartiality Interest in item 9.4.3 – Request for Sponsorship by Football West – Backpackers' Kickabout. The extent of his interest being that he is an accredited Soccer Referee with Football Federation Australia and Football West. He disclosed that in this case he did not have any involvement in the preparation of the report, other than his normal vetting of the Agenda Item.
- 8.5 Cr Buckels declared an Impartiality Interest in Item 9.2.8 – LATE ITEM; Proposed Riverside Drive Closure & Mitchell Freeway Widening – Progress Report No.2. The extent of his interest being he is a Transport Planner at the State Government Department of Planning, with possible input into the project, which is a subject of tonight's Agenda Report.

The Chief Executive Officer advised that the Presiding Member, Cr McGrath, Cr Buckels and Cr Topelberg have stated as a consequence they maybe a perception their impartiality on the matters maybe effected and they have disclosed that they will consider the matters on their merits and vote accordingly.

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

Nil.

10. REPORTS

The Presiding Member, A/Mayor Cr Warren McGrath, 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 9.1.2, 9.1.3, 9.1.4, 9.1.5, 9.1.6 & 9.1.7

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 9.4.2, 9.5.1 & 9.5.2

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

Nil.

Presiding Member, A/Mayor Cr Warren McGrath, 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	Nil.
Cr Topelberg	Nil.
Cr Buckels	9.4.4
Cr McGrath	Nil.
Cr Wilcox	Nil.
Cr Pintabona	Nil.
Cr Harley	Nil.
Cr Maier	9.1.1, 9.1.8, 9.1.9, 9.4.1, & 9.4.3
Mayor Hon. MacTiernan	Nil.

The Presiding Member, A/Mayor Cr Warren McGrath, requested that the Chief Executive Officer to advise the meeting of:

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

Items 9.2.1, 9.2.2, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.3.1, 9.3.2, 9.5.3, 9.5.4 & 9.5.5

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

Nil.

New Order of Business:

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

(a) Unopposed items moved *En Bloc*;

Items 9.2.1, 9.2.2, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.3.1, 9.3.2, 9.5.3, 9.5.4 & 9.5.5

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

Items 9.1.2, 9.1.3, 9.1.4, 9.1.5, 9.1.6 & 9.1.7

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

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

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

The Presiding Member, A/Mayor Cr Warren McGrath ruled that the Items raised during public question time for discussion are to be considered in numerical order as listed in the Agenda index.

ITEMS APPROVED “EN BLOC”:

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

Moved Cr Maier Seconded Cr Topelberg

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

Items 9.2.1, 9.2.2, 9.2.3, 9.2.4, 9.2.5, 9.2.6, 9.2.7, 9.2.8, 9.3.1, 9.3.2, 9.5.3, 9.5.4 & 9.5.5

CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

9.2.1 Road Rehabilitation and Upgrade Program 2012/2013 to 2014/2015 - Adoption

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	TES0174
Attachments:	001 – Road Rehab. & Upgrade Program		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services; and C Economo, Manager Engineering Operations		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the first year (2012/2013) of the three (3) year Road Rehabilitation and Upgrade Program as outlined in Attachment 9.2.1; and
2. **NOTES** that the remaining two (2) years (2013/2014 and 2014/2015) of the program is “preliminary only” and may be subject to change.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the allocation of funds allowed for in the 2012/2013 draft budget to specific projects in the Road Rehabilitation and Upgrade Program.

BACKGROUND:

In 1997, the Council resolved progressively implement a "Road Rehabilitation and Upgrade Program" to ensure the City's road infrastructure is maintained at an acceptable level of service and safety.

To ensure that the program is dynamic in reflecting changing circumstances, including development activity, other capital improvement projects, residents' requests, changing road conditions and State Funding for roads through the Metropolitan Regional Road Program (MRRP), it was considered appropriate to review and update the program on an annual basis and request that only the first year of the program be adopted.

DETAILS:

Metropolitan Regional Road Funding 2012/2013:

In early 2012 Main Roads WA (MRWA) advised the City of the approved Metropolitan Local Road Project Grants for 2012/2013 as follows. This program funds the rehabilitation of higher order roads whereby the state contributes two-thirds ($\frac{2}{3}$) of the cost with the City requiring to fund the remaining one-third ($\frac{1}{3}$).

Road	Section	Grant	Municipal Funding	Budget
Vincent St	Leederville Parade to Freeway	\$ 59,500	\$ 29,750	\$ 89,250
Vincent St	Loftus St Intersection	\$ 37,683	\$ 18,842	\$ 56,525
Fitzgerald St	Vincent St to Raglan Street	\$105,173	\$ 52,587	\$157,760
Beaufort St	Walcott St to Broome Street	\$224,400	\$112,200	\$336,600
Lord St	Harold St to Lincoln Street	\$173,003	\$ 86,502	\$259,505
Total:		\$599,759	\$299,881	\$899,640

Local Roads Resurfacing 2012/2013:

In addition, \$300,119 has been allocated in the 2012/2013 budget for the upgrade of local roads resurfacing/rehabilitation and the following roads are recommended for upgrade.

Road	Section	Budget
Albert St	Charles St to end	\$ 40,000
Coogee St	Scarb. Beach Rd to Woodstock St	\$ 63,000
Harwood Place	Newcastle St to End	\$ 20,000
Palmerston St	Randall St to Stuart St	\$ 40,000
Tasman St	Brady to Federation	\$ 62,119
Woodstock St	Fairfield St to Matlock St	\$ 35,000
Wright St	Bulwer St to Lincoln St	\$ 40,000
		\$300,119

The three (3) Year Road Rehabilitation and Upgrade Program is outlined in attachment 9.2.1.

CONSULTATION/ADVERTISING:

An information Bulletin is distributed to affected residents in the street prior to any works being undertaken.

LEGAL/POLICY

The City is responsible for the care, control and management of over 145kms of roads, which include Primary Distributors, Local Distributors and Access Roads.

RISK MANAGEMENT IMPLICATIONS:

High: It is important to maintain the road infrastructure to a high level of service and safety.

STRATEGIC IMPLICATIONS:

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

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:

Ensuring that appropriate intervention measures are planned at the appropriate time will ensure the longevity of the road infrastructure at the lowest possible cost.

FINANCIAL/BUDGET IMPLICATIONS:

The 2012/2013 Capital Works Budget includes funds of \$600,000 for the Road Rehabilitation and Upgrade Program.

COMMENTS:

Since its creation, the City has expended a considerable amount on maintaining and upgrading the road infrastructure. The City has also been very successful in securing annual funding from the Metropolitan Regional Roads Program. It is requested that the officer recommendation be adopted.

9.2.2 Footpath Upgrade Program 2012/2013 - Adoption

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	TES0174
Attachments:	001 – 2012/2013 Footpath Replacement Program		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services; and C Economo, Manager Engineering Design		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the first year (2012/2013) of the three (3) year Footpath Upgrade Program as outlined in Attachment 9.2.2; and
2. **NOTES** that the remaining two (2) years (2013/2014 and 2014/2015) of the program is “preliminary only” and may be subject to change.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council’s approval for the allocation of funds allowed for in the 2012/2013 budget to specific projects in the 2012/2013 Footpath Upgrade Program.

BACKGROUND:

The Council, in 1996, resolved to adopt a long term Program to ensure the City’s footpath infrastructure is maintained at an acceptable level of service and safety.

To ensure that the program was dynamic in reflecting changing circumstances, including development activity, other capital improvement projects, residents’ requests and changing conditions, it was considered appropriate to review and update the program annually and request that only the first year of the program be adopted by the Council annually.

DETAILS:

As outlined in detail in the report presented to the Council on 12 August 1996, the Footpath Program was initially developed by assessing the condition and locality of all existing paths in the City and by prioritising paths to be upgraded accordingly.

The program is continually revised and updated, based on the revised condition of some paths, requests received, footpaths listed in the current program either brought forward or deferred, and footpaths on the current program being already upgraded by either service authorities or developers.

The three (3) year Footpath Replacement Program is outlined in attachment 9.2.2

CONSULTATION/ADVERTISING:

Residents are advised by means of an 'information bulletin' prior to works proceeding in their street.

LEGAL/POLICY

The City is responsible for the care, control and management of approximately 300 kilometres of footpaths.

RISK MANAGEMENT IMPLICATIONS:

High: It is important to maintain the footpath infrastructure to a high level of service and safety.

STRATEGIC IMPLICATIONS:

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

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:

Since 1997 the Council has expended just under \$5.0 million on the footpath program.

The 2012/2013 budget includes \$350,000 for year sixteen (16) of footpath program including approximately \$240,000 of carry forward footpath projects and \$60,000 for a new footpath in Vincent Street.

At the current contract price with an allocation of \$350,000 per annum it is estimated the program should be fully completed in the next three (3) to four (4) years all going well.

COMMENTS:

Since its creation, the City has expended a considerable amount on upgrading the footpath infrastructure. It is requested that the officer recommendation be adopted.

9.2.3 Roads to Recovery Program 2012/2013 - AUSLINK Funding Program - Adoption

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	TES0174
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services; and C Economo, Manager Engineering Operations		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS year four (4), 2012/2013, of the five (5) year Roads to Recovery Program as outlined in the report; and**
2. **NOTES that the Commonwealth Government fully funds this program and provides the City with \$173,115 per annum.**

COUNCIL DECISION ITEM 9.2.3

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council on the information regarding the AUSLINK Funding made by the Australian Government under the Roads to Recovery (R2R) Program.

BACKGROUND:

The Roads to Recovery Program has been in place since 2005. In March 2009 the Commonwealth Government announced that from 1 July 2009, \$1.75 billion would be available to local governments including State and Territory governments for an extended Road to Recovery program. The City was advised that its annual allocation would be \$173,115 per annum over the next five years.

Over the last seven years, the City has received approximately \$1.1m in funding from the Commonwealth Roads to Recovery Program - AUSLINK Funding Program. The current funding round is due to expire in 2013/2014.

DETAILS:

The following table outlines the proposed projects for year four (4) of the program (2009/2010):

Road	Section	Description	Length (km)	Width (m)	Estimated Cost
Lawler St	Elma St to Bedford St	Apply 7mm SMA	0.23	7.30	\$ 30,000
Haynes St	Charles St to Eton St	Apply 7mm SMA	0.23	0.00	\$ 40,000
Kalgoorlie St	Anzac Rd to Ashby St	Apply 7mm SMA	0.28	10.00	\$ 48,000
Tasman St	Brady St to Egina St	Apply 7mm SMA	0.35	8.00	\$ 55,115
		TOTAL			\$173,115

CONSULTATION/ADVERTISING:

An information Bulletin is distributed to affected residents in the street prior to any works being undertaken.

LEGAL/POLICY

The City is responsible for the care, control and management of over 145kms of roads, which include Primary Distributors, Local Distributors and Access Roads.

RISK MANAGEMENT IMPLICATIONS:

High: It is important to maintain the Road infrastructure to a high level of service and safety.

STRATEGIC IMPLICATIONS:

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

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:

Ensuring that appropriate intervention measures are planned at the appropriate time will ensure the longevity of the road infrastructure at the lowest possible cost.

FINANCIAL/BUDGET IMPLICATIONS:

The 2012/2013 Capital Works Budget includes funds of \$173,115 for Road to Recovery projects.

COMMENTS:

Since its creation, the City has expended a considerable amount on maintaining and upgrading the road infrastructure. Also over the last seven years, the City has received approximately \$1.1m in funding from the Commonwealth Roads to Recovery Program - AUSLINK Funding Program. It is requested that the officer recommendation be adopted.

9.2.4 nib Stadium – Landscape Improvements including Loton Park and Progress Report No. 23

Ward:	South	Date:	13 July 2012
Precinct:	Beaufort (P13)	File Ref:	RES0114, RES0013
Attachments:	001 – Landscaping Plan Incl. Loton Park No. 1		
Tabled Items:	Nil		
Reporting Officers:	J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **APPROVES IN PRINCIPLE** the proposed landscape improvements for Loton Park associated with the nib Stadium Redevelopment Project as shown in the Landscape Plan (including Loton Park) - Plan No. 1, Appendix 9.2.4;
2. **CONSULTS** with the local community in accordance with the City's Consultation Policy No. 4.1.5;
3. **NOTES** that the plant species selection has been based on recommendations contained within the Perth Oval Conservation Plan; and
4. **AUTHORISES** the Chief Executive Officer to make minor changes to the landscape plan, in particular the plant species selection to local native species or waterwise alternatives.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Maier, **Seconded** Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval in principle for the landscape improvements to Loton Park as part of the nib Stadium Redevelopment project and to provide a further update on the progress of works.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 May 2012 Progress Report No. 22 was presented where it was resolved:-

"That the Council;

1. *APPROVES BY AN ABSOLUTE MAJORITY the expenditure of \$48,000 (plus GST) for the removal of the Temporary Southern Grandstand and scaffolding at nib Stadium and for this to be funded from the Perth Oval Reserve Fund; and*
2. *NOTES the progress of the proposed Stadium redevelopment by the State Government, as detailed in this report."*

DETAILS:

Proposed Works in Loton Park:

The Department of Sport & Recreation (DSR) has been liaising with the City's officers in respect to the landscaping improvements for Loton Park as part of the nib Stadium Redevelopment Project.

The attached Landscape Plan including Loton Park - Plan No. 1 has been prepared and incorporates comments made by the City in relation to the landscaping and includes;

- Provision of plinths on the edge of the Gate 4 forecourt area for seating, providing a meeting area and a civic space.
- Plant species selection has been based on requirements and recommendations noted in the Perth Oval Conservation Plan. Whilst some selected species have been shown on the attached plan these are to be negotiated and finalised with the City's officers who have indicated a preference for local native or waterwise species.
- Grassed area at Gate 4 is to be reinstated to blend in with existing grassed embankments adjacent to Lord Street. Whilst trees were considered in the forecourt area they were considered to impact on emergency egress as well as affect FESA required vehicle movement through Loton Park using the path/entrance to the stadium.
- Class 3 bicycle facilities to be located in close proximity to the stadium.
- The northern path at rear of Loton Park Tennis Club has been deleted and reduced back to the existing toilet block.
- There will be a clear delineation of the new entrance to the stadium comprising – exposed aggregate, and thoroughfare – red bitumen.
- Shade sails were considered but were determined to be impractical – the shade that they would provide was minimal, ongoing maintenance and vandalism issues.

Redevelopment Project – Progress

Project Control Group

In accordance with the Lease requirements for the facility, a Project Control Group has been formed comprising:

- Rob Thomson – Department of Sport and Recreation (Chair);
- Clint Kylvovich – Department of Sport and Recreation (Executive Support);
- John Giorgi – City of Vincent;
- Rick Lotznicker – City of Vincent; and
- Shane Walsh – Venues West.

The inaugural meeting was held on 12 April 2012 and a further meeting was held of the group on 3 July 2012. The next meeting of the group is scheduled for the 7 August 2012.

Construction Tender

BGC who have been awarded the construction contract for the stadium have taken possession of the site and have met with the City's key officers to discuss various aspects of the works.

To date progress has been good and no specific issues have arisen with the demolition works at Stadium nor the fencing off and re-routing of pathways allowing access to Loton Park.

Project Delivery

Construction commenced on 2 July 2012 and is anticipated to be completed by 15 March 2013 to enable rugby union games to be played at the venue.

Southern Stand

The temporary southern stand has been removed.

Construction Management Plan

The Construction Management Plan has been submitted to the City and liaison has occurred with the various City officers for approval/advice of the various elements of the project.

City of Vincent Salvageable Items

- Perth Glory Stand - Football West are to receive the stand, seats and time clock. Items may be temporarily stored on Loton Park for up to two (2) weeks. Any damage to Loton Park would be the responsibility of Football West.
- Sea Containers – remaining on site until end of October and thereafter will be relocated to Beatty Park Leisure Centre.
- Unisex Toilet – City has removed and is being stored at the Works Depot, pending installation at the Hobart Street Reserve.
- Staircases – Football West to advise of requirements.
- Light Towers – Two (2) small light towers have been awarded via tender to Rugby WA and the four (4) remaining larger light towers are to be awarded to the City of Greater Geraldton.

Percent for Art

An appeal was lodged by the Project Architect with the State Administrative Tribunal against the Metro West Joint Development Assessment Panel Condition 3 relating to Percent for Art. This Condition states:

Mediation has occurred (between the various parties excluding the City) and the City was recently advised that as a result of a recent Application for Review by the State Administrative Tribunal, the DAP application for the abovementioned land was approved.

The conditions imposed by the Tribunal that form part of this decision are as follows:

“In accordance with Regulation 8 of the Development Assessment Panels Regulations 2011, the application for planning approval was granted on 2 May 2012, subject to the following resolution and conditions:

That the Metropolitan West Joint Development Assessment Panel, as invited by the State Administrative Tribunal under section 31 of the State Administrative Tribunal Act 2004, in respect to SAT application No. DR 41 of 2012, has reconsidered condition 3 of its approval for development dated 8 February 2012 and has resolved to replace Condition 3 with the following condition:

“A minimum of \$400,000 is to be expended, in accordance with the terms and provisions of the West Australian State Government Percent for Art Scheme Guidelines October 2011, for the development and implementation of public art in association with Stage 1 of the development under this approval.”

CONSULTATION/ADVERTISING:

Consultation will be undertaken for a period of fourteen (14) days in accordance with the City's Consultation Policy No 4.1.5.

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:

Medium: The proposal will improve general amenity and safety for both pedestrians and vehicular traffic entering and exiting the stadium in accordance with emergency management requirements.

STRATEGIC IMPLICATIONS:

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

“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.”

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:

Local native or waterwise plant species will be preferred by the City in accordance with the planting themes implemented during the initial stadium redevelopment undertaken by the City.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable

COMMENTS:

The timeline for construction of this project is very tight and the State Government is keen to have all elements of the project approved and ready to proceed on schedule so as not to delay the completion of the project. Approval of the Officer Recommendation is therefore requested.

9.2.5 Brisbane Terrace, Perth - Parking and Streetscape Improvements – Further Report

Ward:	South	Date:	13 July 2012
Precinct:	Hyde Park (12)	File Ref:	PKG0055
Attachments:	001 – Street Tree Plan 2951-CP-01 002 – Parking Restriction Plan 2961-PP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

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 2951-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.

COUNCIL DECISION ITEM 9.2.5

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the ‘Tree Planting’ and revised parking proposal for Brisbane Terrace, Perth.

BACKGROUND:

Ordinary Meeting of Council 5 April 2011:

The Council approved the implementation of a ‘No Stopping’ parking restriction on the south side of Brisbane Terrace and to retain the 1P restriction ‘at all times’ on the north side of the street. It also considered listing \$15,000 in the 2011/2012 draft budget for the planting of trees on the south side of Brisbane Street.

Ordinary Meeting of Council 12 June 2012:

A report on tree planting and possible parking initiatives was considered by the Council with the following officer recommendation presented.

"That the Council;

1. *APPROVES IN PRINCIPLE the 'Tree Planting' proposal for Brisbane Terrace as shown on attached plan No 2951-CP-01;*
2. *CONSULT with residents in the street regarding the 'Tree Planting' proposal seeking their comments and advises them of the parking trial currently underway in Moir Street; and*
3. *CONSIDERS the comments received at the conclusion of the consultation period."*

The Council after considering the report resolved *'That the item be DEFERRED for further consideration and clarification'*.

DETAILS:

Proposed Tree Planting:

Banning the parking on the south side of the street 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 is not feasible.

Following an assessment it was considered that the trees could be planted on the northern side of the street, however there would be a potential loss of three (3) parking spaces.

Parking situation in Brisbane Terrace:

Since banning the parking on one side of the street, a number of residents have expressed their dissatisfaction at the resulting lack of street parking and have requested that parking on the southern side be reintroduced.

It is considered that allowing parking on both sides of the street would reignite some of the issues that led the parking being banned in the first instance.

Compromise proposal:

On 27 March 2012 a report on proposed trial changes to 'on road' parking restrictions in Moir Street was considered where the undertaking of *"a six (6) month trial of 1P time restrictions, 8.00am to 6.00pm Monday to Friday and Resident Only" parking restrictions at all other times...* in the street was approved.

This trial has been underway for two (2) months and at the conclusion of the trial the Council, following further consultation with residents of Moir Street, will determine whether to implement the proposal on a permanent basis.

In addition should the trial prove to be successful, it was thought that this model, possibly modified to suit each situation, could be rolled out to other 'similar' streets in the area bounded by William, Newcastle, Lake and Brisbane Streets.

Given that the available on road parking in Brisbane Terrace has been reduced and 'others' are parking in the street due to the streets proximity to William Street etc. it is considered that a 'similar' trial as is currently underway in Moir Street be implemented in Brisbane Terrace i.e. "a three (3) months trial of 1P time restrictions, 8.00am to 6.00pm Monday to Friday and Resident Only" parking restrictions at all other times".

CONSULTATION/ADVERTISING:

Consultation will be undertaken to seek the views from residents regarding the planting of trees on the northern side of Brisbane Terrace, Perth.

Residents will also be advised that a three (3) month trial of 1P time restrictions, 8.00am to 6.00pm Monday to Friday and 'Resident Only' parking restrictions at all other times will be implemented and at the conclusion of which a further public consultation will be undertaken to gauge the effectiveness of the restrictions.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Medium: Brisbane Terrace is too narrow to accommodate parking on both sides.

STRATEGIC IMPLICATIONS:

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

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:	\$ 0
Balance:	\$15,000

Signage would be charged to the Signs Operating budget.

COMMENTS:

The planting of street trees along the north side of Brisbane Terrace would only minimally affect the availability of parking spaces within Brisbane Terrace as many of the properties have onsite parking. Also given that the available on road parking in Brisbane Terrace has been reduced it is considered that a 'similar' trial as is currently underway in Moir Street be implemented in Brisbane Terrace i.e. a three (3) month trial of 1P time restrictions, 8.00am to 6.00pm Monday to Friday and 'Resident Only' parking restrictions at all other times, be implemented.

9.2.6 Tender No. 449/12 – Traffic Management Services

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	TEN0362
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset & Design Services		
Responsible Officers:	R Lotznicker, Director Technical Services; and M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council **ACCEPTS** the tenders submitted by TRG, ATM, Vigilant, Atlus and Contraflow as being acceptable to the City for the provision of Traffic Management Services in accordance with the specifications as detailed in Tender No. 449/12.

COUNCIL DECISION ITEM 9.2.6

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval for the tenders evaluated as being the best value for money for the provision of Traffic Management Services for a three (3) year period.

BACKGROUND:

Tender No. 449/12 for the provision of Traffic Management Services for the three (3) year period 2012/2013 to 2014/2015 was advertised in the West Australian on 25 April 2012. Tenders closed at 2.00pm on 9 May 2012 after a fourteen day (14) advertising period and present at the opening of the tender was Finance Officer – Purchasing / Contracts and Depot Purchasing Officer, George Dennison.

Tenders were received from the following companies:

- Traffic Response Group Pty Ltd (TRG).
- Advanced Traffic Management P/L (ATM).
- Vigilant Traffic management Pty Ltd.
- Atlus Traffic Pty Ltd.
- Contraflow Pty Ltd.

DETAILS:

Details of the five (5) submissions received for Tender No 449/12 are as follows:

Item	Description	TRG	ATM	Vigilant	Altus	Contraflow	
		\$ / job site	\$ / job site	\$ / job site	\$ / job site	\$ / job site	
Provision of services as per contract							
1	Prepare & submit TMP & obtain final approval from COV (simple)	\$50.00	\$454.30	\$350.00	\$528.00	\$209.00	
2	Prepare & submit TMP & obtain final approval from COV (medium complexity)	\$300.00	\$649.00	\$570.00	\$704.00	\$302.50	
3	Prepare & submit TMP & obtain final approval from COV (high complexity)	\$1,500.00	\$825.00	\$825.00	\$1,056.00	\$605.00	
4	Daily site audit & submission of audit report as per specification and as requested by the City	\$70.00/Hr (min. 4 hrs)	\$259.60	\$120.00	\$ 220.00	\$209.00	
Traffic Controllers							
		Working Day	TRG \$ / Hr	ATM \$ / Hr	Vigilant \$ / Hr	Altus \$ / Hr	Contraflow \$ / Hr
5	1 qualified TR, 1 vehicle & all signs, cones etc	Day Time 6am - 6pm	\$ 51.00	\$ 53.90	\$ 55.00	\$ 67.78	\$ 57.75
		Night Time 6pm - 6am	\$ 56.00	\$ 53.90	\$ 85.50	\$ 72.58	\$ 72.05
		Weekends & Pub. Hol.	\$ 62.00	\$ 70.40	\$ 85.50	\$ 81.83	\$ 72.05
6	2 qualified TR, 1 vehicle & all signs, cones etc	Day Time 6am - 6pm	\$ 89.00	\$ 93.50	\$ 86.00	\$116.22	\$ 92.40
		Night Time 6pm - 6am	\$104.50	\$ 93.50	\$133.00	\$126.08	\$108.90
		Weekends & Pub. Hol.	\$115.00	\$125.40	\$133.00	\$145.70	\$108.90
7	2 qualified TR, 2 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$102.00	\$104.50	\$110.00	\$135.55	\$108.90
		Night Time 6pm - 6am	\$117.50	\$104.50	\$170.00	\$145.16	\$124.30
		Weekends & Pub. Hol.	\$128.00	\$137.50	\$170.00	\$163.66	\$124.30
8	3 qualified TR, 1 vehicle & all signs, cones etc	Day Time 6am - 6pm	\$132.00	\$134.75	\$126.00	N/A	\$126.50
		Night Time 6pm - 6am	\$151.50	\$134.75	\$195.00	N/A	\$154.30
		Weekends & Pub. Hol.	\$168.00	\$184.25	\$195.00	N/A	\$154.30
9	3 qualified TR, 2 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$145.00	\$145.75	\$150.00	\$183.99	\$137.50
		Night Time 6pm - 6am	\$164.50	\$145.75	\$232.00	\$198.66	\$159.50
		Weekends & Pub. Hol.	\$181.00	\$195.25	\$232.00	\$227.53	\$159.50
10	3 qualified TR, 3 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$158.00	\$156.75	\$165.00	\$203.32	\$173.25
		Night Time 6pm - 6am	\$177.50	\$156.75	\$256.00	\$217.74	\$216.15
		Weekends & Pub. Hol.	\$194.00	\$206.25	\$256.00	\$245.49	\$216.15

11	4 qualified TR, 2 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$188.00	\$187.00	\$172.00	\$232.43	\$184.80
		Night Time 6pm - 6am	\$211.50	\$187.00	\$267.00	\$252.16	\$217.80
		Weekends & Pub. Hol.	\$234.00	\$253.00	\$267.00	\$291.40	\$217.80
12	5 qualified TR, 3 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$244.00	\$238.76	\$227.00	\$300.19	\$229.90
		Night Time 6pm - 6am	\$271.50	\$238.76	\$352.00	\$324.74	\$268.40
		Weekends & Pub. Hol.	\$300.00	\$321.75	\$352.00	\$373.23	\$268.40

Traffic Controllers							
		Working Day	TRG	ATM	Vigilant	Altus	Contraflow
13	6 qualified TR, 3 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$ / Hr \$287.00	\$ / Hr \$292.05	\$ / Hr \$258.00	\$ / Hr \$348.65	\$ / Hr \$277.20
		Night Time 6pm - 6am	\$318.50	\$292.05	\$400.00	\$378.24	\$326.70
		Weekends & Pub. Hol.	\$353.00	\$390.50	\$400.00	\$437.08	\$326.70
14	7 qualified TR, 4 vehicles & all signs, cones etc	Day Time 6am - 6pm	\$ / Hr \$343.00	\$ / Hr \$332.75	\$ / Hr \$313.00	\$ / Hr \$416.42	\$ / Hr \$322.30
		Night Time 6pm - 6am	\$378.50	\$332.75	\$485.00	\$450.82	\$377.30
		Weekends & Pub. Hol.	\$419.00	\$447.15	\$485.00	\$518.94	\$377.30
15	Minimum hours to be charged per job for the above items 5 to 14 inclusive	Day Time 6am - 6pm	Hours 4	Hours 4	Hours 4	Hours 4	Hours 4
		Night Time 6pm - 6am	4	4	4	4	4
		Weekends & Pub. Ho.	4	4	4	4	4
16	Mobilisation to be charged per day per crew for the above items 5 to 14 inclusive, (inclusive of travelling time to job site)	Day Time 6am - 6pm	\$ / Day \$ 90.00	\$ / Day \$ 93.50	\$ / Day \$ -	\$ / Day \$ 27.50	\$ / Day 1 Hour
		Night Time 6pm - 6am	\$100.00	\$ 93.50	\$ -	\$ 30.00	1Hour
		Weekends & Pub. Hol.	\$125.00	\$125.40	\$ -	\$ 30.00	1 Hour
17	Demobilisati on to be charged per day per crew for the above items 5 to 14 inclusive, (inclusive of travelling time from job site)	Day Time 6am - 6pm	\$ / Day \$ 90.00	\$ / Day \$ 93.50	\$ / Day \$ -	\$ / Day \$ 27.50	\$ / Day 1 Hour
		Night Time 6pm - 6am	\$100.00	\$ 93.50	\$ -	\$ 30.00	1 Hour
		Weekends & Pub. Hol.	\$125.00	\$125.40	\$ -	\$ 30.00	1 Hour

18	Pilot vehicle with operator	Day Time 6am - 6pm	\$ / Hr \$ 85.00	\$ / Hr -	\$ / Hr \$ 88.00	\$ / Hr \$ 67.78	\$ / Hr -
		Night Time 6pm - 6am	\$ 92.50	-	\$110.00	\$ 72.58	-
		Weekends & Pub. Hol.	\$ 95.00	-	\$110.00	\$ 81.83	-
					4 hr minimum 1 man + 1 vehicle		

19	Additional items when traffic controller are required (when more than 80 cones or 30 large signs per vehicle are required)						
		Working Day	TRG	ATM	Vigilant	Altus	Contraflow
			\$ / Day	\$ / Day	\$ / Day	\$ / Day	\$ / Day
19.1	Flashing arrow sign	Day Time 6am - 6pm	\$ 85.00	\$ 55.00	\$ 66.00	\$ 82.50	\$ 77.00
		Night Time 6pm - 6am	\$ 85.00	\$ 55.00	\$ 66.00	\$ 82.50	\$ 77.00
		Weekends & Pub. Hol.	\$ 85.00	\$ 55.00	\$ 66.00	\$ 82.50	\$ 77.00
		Min. Period					
19.2	Electronic Notification Boards	Day Time 6am - 6pm	\$200.00	\$110.00	\$200.00	\$242.00	\$176.00
		Night Time 6pm - 6am	\$200.00	\$110.00	\$200.00	\$242.00	\$176.00
		Weekends & Pub. Hol.	\$200.00	\$110.00	\$200.00	\$242.00	\$176.00
		Min.Period					
19.3	Water filled crash safety barrier (rated for 70km/hr speed)	Day Time 6am - 6pm	\$ 3.70	\$ 4.95	\$ 5.00	\$ 2.64	\$ 35.00
		Night Time 6pm - 6am	\$ 3.70	\$ 4.95	\$ 5.00	\$ 2.64	\$ 35.00
		Weekends & Pub. Hol.	\$ 3.70	\$ 4.95	\$ 5.00	\$ 2.64	\$ 35.00
		Min. Period					Min. 7 Days
19.4	Concrete crash safety barriers (approved type)	Day Time 6am - 6pm	\$ 4.50	\$ 1.00	\$ 12.00	\$ 4.50	\$ 65.00
		Night Time 6pm - 6am	\$ 4.50	\$ 1.00	\$ 12.00	\$ 4.50	\$ 65.00
		Weekends & Pub. Hol.	\$ 4.50	\$ 1.00	\$ 12.00	\$ 4.50	\$ 65.00
		Min. Period					Min. 7 Days

Notes:

Contraflow Items 16 & 17 per crew, Items 19.3 & 19.4 included delivery and pickup.
 Altus items 16 & 17 – Based on a per person, per day charge.
 Items 19.1, 19.2, 19.3 and 19.4 – Items may require additional delivery. Please refer to applicable crew charge rate with four hours minimum.
 CPI to be applied each July (from and including 13 July).

Tender Evaluation

Selection Criteria

The following weighted criteria was used for the selection of the companies for this tender.

<i>Evaluation Criteria</i>	<i>Weighting</i>
Past Experience in similar projects/works	30%
Contract Price	30%
Organisational structure/capacity/resources	20%
Financial capacity	10%
Compliance with Tender Specification	5%
References	5%
TOTAL:	100%

Tender Evaluation Panel

The Tender Evaluation Panel consisted of Con Economo; Manager Engineering Operations, George Dennison; Depot Purchasing Officer and Robert Cribbin, Technical Officer Engineering Operations.

The tenders were assessed using the above evaluation criteria in accordance with the tender documentation.

The Tender Evaluation Panel met on 15 June 2012 to assess the submissions, with each member independently evaluating and scoring the tenders, resulting in the aggregated scores below:

Tender Summary

	Weighting	TRG	ATM	Vigilant	Altus	Contraflow
Past experience in similar projects/works	30%	30.0	30.0	30.0	30.0	30.0
Contract Price	30%	30.0	28.0	29.5	25.0	29.5
Organisational Structure/capacity/resources	20%	17.0	19.0	18.0	19.0	18.0
Financial capacity	10%	7.0	10.0	8.0	10.0	8.0
Compliance with tender specifications	5%	4.0	4.0	4.0	4.0	3.5
References	5%	4.0	4.0	4.0	4.0	4.0
Total	100%	92.0	95.0	93.5	92.0	93.0
Rating		4	1	2	5	3

Note: In order to determine a score for *Contract Price* the panel ran a number of scenarios of a typical road works situation within the City and costed each based upon their tender rates.

The five (5) traffic management scenarios theoretically (in total) cost in the order of \$9,068 (the lowest) to \$10,881 (the highest) resulting in the percentages assigned each tender above.

Tender Evaluation Panel comments are shown below:

ATM

Total Weighted Score	First: 95.0
Past Experience	
<ul style="list-style-type: none"> Similar projects 	A long established and the largest Traffic Management contractor in WA having worked with many Local and State Authorities utilities and provided traffic management for numerous major public events.
<ul style="list-style-type: none"> Experience 	Company representatives have long term industry experience and are responsive and easy to deal with (having dealt with them as a 'stakeholder' for other works and events impacting upon the City).
Contract Price	
<ul style="list-style-type: none"> Schedule of Rates 	The schedule of rates provided, while not the lowest, is competitive with current industry standards.
Organizational Structure	
<ul style="list-style-type: none"> Capacity 	The Company has a number of high profile customers (including other metropolitan Councils) and is compliant with Australian Standard and are Main Roads WA accredited.
<ul style="list-style-type: none"> Resources 	The Company is well resourced to meet the City's traffic management needs, including urgent or after hours call outs works.
Financial Capacity	Financial data provided indicated that ATM is financially sound with significant reserves.
Compliance with Tender Specification	Largely complied with the tender specification requirements. Note: As with all tenders limited financial information provided but sufficient to demonstrate financial capacity and viability.
References	Comprehensive list provided.

Comment:

The tender was well documented and generally conformed to the City's tender requirements (see comments above). ATM are a well respected company in the industry and while not working specifically for the City have undertaken a lot of work within the City including that of the traffic management for the majority of events at nib Stadium.

Vigilant

Total Weighted Score	Second: 93.5
Past Experience	
<ul style="list-style-type: none"> Similar projects 	The City's current Traffic Management contractor and well versed with the City's requirements and has on-going contracts with other WA Local Governments.
<ul style="list-style-type: none"> Experience 	Company representatives have long term industry experience and are responsive and easy to deal with.
Contract Price	
<ul style="list-style-type: none"> Schedule of Rates 	The schedule of rates is the equal second lowest (based upon the five (5) scenarios) and competitive with current industry standards.
Organizational Structure	

<ul style="list-style-type: none"> Capacity 	The Company has a number of high profile customers (including other metropolitan Councils) and is both <u>Quality Assured</u> and compliant with Australian Standards and are Main Roads WA accredited.
<ul style="list-style-type: none"> Resources 	The Company is well resourced to meet the City's traffic management needs, including urgent or after hours call outs works.
Financial Capacity	The limited financial data provided indicated that Vigilant is financially sound.
Compliance with Tender Specification	Largely complied with the tender specification requirements. Note: As with all tenders limited financial information provided but sufficient to demonstrate financial capacity and viability.
References	Comprehensive list provided.

Comment:

The tender was well documented and generally conformed to the City's tender requirements (see comments above). Vigilant have been providing Traffic Management for the City for the past three (3) years under the current tender and have always proved both professional and reliable.

Contraflow

Total Weighted Score	Third: 93.0
Past Experience	
<ul style="list-style-type: none"> Similar projects 	WA company with on-going contracts with other WA Local Governments and State service providers.
<ul style="list-style-type: none"> Experience 	Company representatives have long term and extensive industry experience.
Contract Price	
<ul style="list-style-type: none"> Schedule of Rates 	The schedule of rates is the equal second lowest (based upon the five (5) scenarios) and competitive with current industry standards.
Organizational Structure	
<ul style="list-style-type: none"> Capacity 	The Company has a number of high profile customers (including other metropolitan Councils) and is compliant with Australian Standard and are Main Roads WA accredited.
<ul style="list-style-type: none"> Resources 	The Company is well resourced to meet the City's traffic management needs, including urgent or after hours call outs works.
Financial Capacity	Very little financial data provided but rather financial referees in support of their financial viability and capacity.
Compliance with Tender Specification	Largely complied with the tender specification requirements. Note: As with all tenders limited financial information provided but sufficient to demonstrate financial capacity and viability.
References	Comprehensive list provided.

Comment:

The tender was well documented and generally conformed to the City's tender requirements (see comments above). Contraflow has not previously undertaken work for the City but as with most Traffic Management contractors worked extensively within the City for other clients.

TRG

Total Weighted Score	Fourth: 92.0
Past Experience	
<ul style="list-style-type: none"> • Similar projects 	WA company with on-going contracts with other WA Local Governments and service providers.
<ul style="list-style-type: none"> • Experience 	Company representatives have long term and extensive industry experience.
Contract Price	
<ul style="list-style-type: none"> • Schedule of Rates 	The schedule of rates is the <u>lowest</u> (based upon the five (5) scenarios) and therefore best value and is competitive with current industry standards.
Organizational Structure	
<ul style="list-style-type: none"> • Capacity 	The Company has a number of high profile customers (including another metropolitan Council) and is compliant with Australian Standard and are Main Roads WA accredited.
<ul style="list-style-type: none"> • Resources 	The Company is well resourced to meet the City's traffic management needs, including urgent or after hours call outs works.
Financial Capacity	The limited financial data provided indicated that TRG is financially sound.
Compliance with Tender Specification	Largely complied with the tender specification requirements. Note: As with all tenders limited financial information provided but sufficient to demonstrate financial capacity and viability.
References	Comprehensive list provided.

Comment:

The tender was well documented and generally conformed to the City's tender requirements (see comments above). TRG the submitted the lowest schedule of rates and therefore should provide the best value for money. However it appears that they are a relatively new entity and looking to have a more significant presence in the Local Government market. As with Contraflow they have not previously undertaken work for the City but have worked within the City for other clients.

Atlas

Total Weighted Score	Fifth: 92.0
Past Experience	
<ul style="list-style-type: none"> • Similar projects 	An Australia wide network and the largest of the tenders by turnover. While the WA branch is not as large as ATM it is of significant scale. Atlas has on-going contracts with numerous other WA Local Governments.
<ul style="list-style-type: none"> • Experience 	Company representatives have long term industry experience.
Contract Price	

• Schedule of Rates	The schedule of rates was most expensive (based upon the five (5) scenarios) and therefore the least value for money, hence the lower score.
Organizational Structure	
• Capacity	The Company has a national presence and a number of high profile customers (including other WA Local Governments) and is both <u>Quality Assured</u> and compliant with Australian Standards and are Main Roads WA accredited.
• Resources	The Company is well resourced to meet the City's traffic management needs, including urgent or after hours call outs works.
Financial Capacity	Financial data provided indicated that Atlas is financially sound with significant reserves.
Compliance with Tender Specification	Largely complied with the tender specification requirements. Note: As with all tenders limited financial information provided but sufficient to demonstrate financial capacity and viability.
References	Comprehensive list provided.

Comment:

The tender was well documented and generally conformed to the City's tender requirements (see comments above). Atlas are a 'large player' in the industry providing Traffic Management for a number of national service providers and utilities, in addition to numerous WA local governments.

CONSULTATION/ADVERTISING:

The tender was advertised in the West Australian Newspaper on the 25 April 2012.

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

Low - Medium: The works associated with this tender are generally undertaken in conjunction with the City's annual maintenance and capital works programs with all jobs assessed to ensure compliance with the relevant Australian Standards and Main Roads WA Code of Practice.

STRATEGIC IMPLICATIONS:

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of works relating to this tender amounts to an estimated \$300,000 per annum (*up to \$900,000 over the term of the tender*) and is charged to the respective maintenance programs and capital works projects as approved by the Council.

COMMENTS:

The Tender Evaluation Panel has recommended all five (5) tenders be accepted as it provides the City with a surety and continuity of service. This can be critical when State Road and Transport Authority's, or large service providers, are undertaking major projects, as their requirements tend to take priority as a commercial reality.

It also allows flexibility in scheduling of works as there are times when the City has multiple sites requiring concurrent Traffic Management.

The intention would be to use the lowest priced tender where possible. However if, by way of example, the City had to call on the more expensive tenders they would be bound by their agreed rates rather than casual rates, which are generally higher.

That the Council accepts the tenders submitted by TRG, ATM, Vigilant, Atlus and Contraflow as being acceptable to the City for the provision of Traffic Management Services in accordance with the specifications as detailed in Tender No. 449/12.

9.2.7 Weld Square Redevelopment Project – Proposed Co-Naming of Park

Ward:	South	Date:	13 July 2012
Precinct:	Beaufort (13)	File Ref:	RES0102
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the information received from the Geographic Names Committee (GNC) regarding the Co-naming of Weld Square and its preference for a single name to be used for this park, as outlined in the report; and
2. **REFERS** the matter to the City's Aboriginal Liaison and Reconciliation Advisory Group, for consideration.

COUNCIL DECISION ITEM 9.2.7

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of the report is to advise the Council of the advice received from the Geographic Names Committee (GNC) in relation to the proposed co-naming of Weld Square and approve of a name.

BACKGROUND:

At the Ordinary Meeting of Council held on 24 April 2012 and following the public consultation period, a report was presented in relation to the installation of a mini basketball court and co - naming of Weld Square where it was resolved;

"That the Council APPROVES the:

1. *installation of a mini basketball court with senior poles on Weld Square, at an estimated cost of \$20,620 as shown on the attached Plan No. 2647-LS-01K;*
2. *co-naming of Weld Square to include the Nyoongar name 'Wongi Park', subject to the approval of the Geographic Names Committee; and*
3. *naming of "Wongi Park" to be held during Naidoc Week (1-8 July 2012) and that an appropriate celebration be held to recognise this."*

DETAILS:

Geographic Names Committee (GNC)

A letter was forwarded to the GNC on 3 May 2012 outlining the Council decision and a response received on the 4 July 2012 advising as follows:-

“GNC decided that its preference was for a single name to be used for this park. The rationale for this decision is in accordance with current State and National dual naming policies which allow for dual names to be applied to geographic features and not to cultural features such as localities, towns, districts, reserves, open space recreation parks or reserves, infrastructure of constructed features (such as roads, highways, bridges etc). When a request to dual name a geographic feature is received, approval shall only be given where there is definite evidence that that feature has two names.

The GNC was encouraged by the proposed redevelopment of the area and supportive of the proposed name. As a result they have suggested that the name Wongi Park could replace the existing Weld Square and that the Council could erect signage to indicate that the name Weld Square was the historical name for the park. To assist with this process, the GNC suggested that this name change could be ‘phased in’ over a certain time frame. This process has occurred previously where such name changes have been put forward, for example, Shenton Lake was amended to Jualbup Lake and for a period of two years the name was shown in Landgate’s records and on maps as Jualbup Lake [Shenton Lake]. At the end of the two year time period, the name was amended to only show Jualbup Lake and the former name was archived as a historical record.

It may be of interest to the Council to note that the renaming of Weld Square would not be seen to diminish the honouring of Sir Frederick Aloysius Weld, GCMG (1869-1875). The name “Weld” to specifically honour Sir Frederick Weld has been used a number of times in Western Australia. There are 14 topographical features and land boundaries which included the name “Weld” and it can be confirmed that 9 of these were officially named after Sir Frederick Weld, the remaining do not have any origins recorded to confirm this. Similarly there are 20 roads using the name “Weld” and of these 5 can be confirmed to have been named after the same man.”

Community Consultation comments - OMC 24 April 2012.

In view of the previous comments received from the community as outlined below and reported to the Council at its Ordinary Meeting on 24 April 2012, the City’s officers consider it would be prudent to refer the matter to the City’s Aboriginal Liaison and Reconciliation Advisory Group for consideration.

Weld Square – Proposed co-naming:

In Favour of the Proposal: (11)

- 11 x in favour with no further comment.

Against the Proposal: (5)

- 2 x objections with no further comment.
- There are a multitude of ethnic groups who have contributed to Western Australia in its short history; I am opposed to the changing of the name.
- Objection as insufficient information provided.
- Wongi Park is also a completely ridiculous suggestion for a new name.

Other Comments: Nil

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Geographic Names Committee (WA) – Principles, Guidelines and Procedures

RISK MANAGEMENT IMPLICATIONS:

Low: Further consultation on the proposal to re-name Weld Square, is considered important to ensure that the varying cultural links to the Park from both an Indigenous and non-Indigenous perspective are considered, prior to the Council making a decision on the matter.

STRATEGIC IMPLICATIONS:

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

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

-

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Should the proposal to co-name Weld Square - 'Wongi Park' be approved the cost associated with the fabrication and installation of 2 x wooden routed signs is \$960 inclusive GST and if required this cost could be charged against the Weld Square operating budget.

COMMENTS:

It is therefore recommended based on the advice received from the GNC that the Council refer the matter to the City's Aboriginal Liaison and Reconciliation Advisory Group, for consideration.

9.2.8 LATE ITEM: Proposed Riverside Drive Closure & Mitchell Freeway Widening - Progress Report No. 2

Ward:	Both	Date:	18 July 2012
Precinct:	All	File Ref:	TES0473
Attachments:	001 – Graham Farmer Freeway Widening 002 – Mitchell Freeway Widening		
Tabled Items:	Nil		
Reporting Officer:	C Wilson, Manager Asset & Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council:

1. **REQUESTS** that Main Roads WA invites the City's input to the Traffic Management Planning for the Mitchell Freeway widening project, and
2. **NOTES** that a further progress report will be submitted to the Council once the Traffic Management Plan has been released.

COUNCIL DECISION ITEM 9.2.8

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an update of the potential impact of the proposed 'Perth Waterfront Development' and Mitchell Freeway widening on traffic in the City of Vincent.

BACKGROUND:

At its Ordinary Meeting of 13 March 2012 the Council received a report on the recently commenced Perth Waterfront Development 'Elizabeth Quay' and the impact it will have on traffic in and around the Central Business District (CBD) and more specifically the City of Vincent.

Upon considering the report Council made the following decision.

"That the Council REQUESTS:

1. *the State Government as a matter of urgency to ensure that the following works are completed before Riverside Drive is closed:*
 - 1.1 *widening the Graham Farmer Freeway tunnel to three (3) lanes in each direction including the appropriate modifications to Freeway access/exit lanes;*
 - 1.2 *widening Thomas and Loftus streets to three (3) lanes; and*
 - 1.3 *completion of all relevant inner-city road works; and*
2. *that it be consulted on any future traffic and transport studies or initiatives undertaken by the WA State Government and/or City of Perth where changes to the road and transport network in Perth is likely to result in adverse impacts within the City of Vincent."*

In respect of the State Governments announcements and actions both prior to and since the aforementioned report the following is a condensed time line:

- 22 April 2012 the Hon. Troy Buswell, Minister for Transport, issued a press release on how the Government intended to address the predicted traffic congestion likely to occur as a result of the closure of Riverside Drive to accommodate the Perth Waterfront development.
- 26 April 2012 the Premier, Hon. Colin Barnett and Planning Minister, Hon. John Day turned the first sod at the Esplanade Reserve.
- 28 May 2012 the Premier announced that the precinct would be named 'Elizabeth Quay' in honour of Her Majesty Queen Elizabeth II.
- Week of 9 July 2012 a report was released by the State Government on 'Traffic Impacts of Riverside Drive Closure for Perth Waterfront Development'.
- 16 July 2012 the City received a letter from the Hon. John Day, Minister for Planning, in response to the City's letter of 13 April 2012, addressing the Council's concerns.

DETAILS:

The Perth Waterfront Development has been described as a world-class precinct that is set to transform the face of Perth.

With regards potential traffic congestion the City, together with a number of other adjacent inner city Local Government's, have expressed concerns about both the short and long term traffic impacts the Elizabeth Quay project will have specifically the closure of Riverside Drive.

In accordance with Council's decision of 13 March 2012 the City wrote to the Minister for Planning in April 2012 conveying Council's concerns.

Minister for Transport's Press Release

Prior to the Minister for Planning responding to the City's letter, the Minister for Transport issued a press release on 22 April 2012, where he outlined measures the Government was taking to deal with any anticipated traffic congestion.

The release highlighted that there would be:

- *More CAT buses, new Green CAT service, new cycle paths and bus lanes;*
- *a third lane in Graham Farmer Freeway;*
- *and increased lane capacity on Mitchell Freeway*

Other points in the press release were:

- *\$57 million for a third lane in the Graham Farmer Freeway tunnel and increased lane capacity on the Mitchell Freeway.*
- *\$47.6 million from the Perth Parking Management Account would be used to introduce active traffic management, which uses CCTV cameras to provide information to road users and to incident response crews which remove broken-down vehicles.*
- *Real time management of traffic signals, so where incidents occur or roadworks are impeding traffic flow, Main Roads will modify traffic signal timings to maximise traffic flow, particularly during peak periods.*
- *CBD public transport to receive a significant boost with additional Red CAT buses in operation from July 2012, ahead of the July 2013 introduction of a new Green CAT service that would travel between Leederville Station (West Leederville side) and Esplanade stations via City West every ten (10) minutes.*

- *The new Green CAT service will relieve pressure on the existing Red CAT service and the Perth Underground Train Station, with the bus lane projects to provide more reliable and improved travel times on Beaufort Street and Mounts Bay Road.*
- *Coinciding with the diversion of Riverside Drive between Barrack Street and William Street from mid-2013, for the Perth Waterfront Development, an additional 14,500 vehicles a day will be redirected through the Graham Farmer Freeway tunnel.*
- *The Perth CBD Transport Plan was prepared by the Department of Transport in partnership with the City of Perth, Main Roads WA and the Public Transport Authority, in consultation with the Department of Planning.*

Minister for Planning's response to the City:

A summary of the letter received on 16 July 2012 is outlined below:

"Thank you for your letter of 13 April 2012 on the Council's resolutions regarding the Elizabeth Quay project. I sincerely regret the delay in my reply.

Perth is experiencing a once-in-a-lifetime opportunity during a period of unprecedented economic and population growth, with the metropolitan population forecast to grow up to 2.35million by 2026. The City of Perth is forecast to be the fastest growing local government in WA, with population to grow by an extra 28,000 persons to reach 45,900 by 2026. The State Government is working to accommodate for this growth by creating new inner-city precincts for residents, businesses and visitors alike with projects including the Elizabeth Quay.

Elizabeth Quay is the centrepiece of a long-term redevelopment plan that will transform our city into a more vibrant, contemporary and internationally recognised capital. It will deliver a new destination for Perth and provide increased opportunities for people to interact with the Swan River, enhance the area's relationship with Barrack Square and engage with the Supreme Court Gardens.

The completion of the widening of the Graham Farmer Freeway tunnel to three lanes in each direction (and appropriate modifications to freeway access/exit lanes) and Mitchell Freeway up to Vincent Street are scheduled for completion in May 2013 (before Riverside Drive traffic is diverted). The remainder of the Mitchell Freeway widening to Hutton Street will be completed in late 2013.

The widening of Thomas and Loftus Street to three lanes will be considered as part of the medium to long term Moving People Plan that is currently being developed by the Department of Transport. This is a complex widening project that will involve land acquisition and may also form part of the light rail route from Perth to QEII Hospital/UWA. No decisions on this project can be made until the light rail route and alignment planning is completed in late 2012.

The State Government is in the early stages of a number of transformational projects, all of which involve road works. Additionally, the City of Perth is part the way through the two way streets conversion program. Roadworks will be underway for the next four years to facilitate the implementation of these projects. Main Roads, the City of Perth and Metropolitan Redevelopment Authority are working together to proactively manage the programming of the works to ensure that all relevant city roadworks are completed."

Graham Farmer and Mitchell Freeway's Widening.

Graham Farmer Freeway:

The Graham Farmer Freeway tunnel will be widened to three (3) lanes either direction with works scheduled to commence in the last quarter of the year and to be completed by the end of the year.

The works do not require extensive changes to the tunnel structure but rather reallocating the existing pavement surface to accommodate three (3) traffic lanes. As a result that there will no longer be a breakdown lane, which will be replaced by two narrow shoulders, 450 and 750mm wide respectively.

Main Roads contingency planning is that in the event of a breakdown within the tunnel specially modified response vehicles will push the obstructing vehicle out of the tunnel to a safety zone.

Eastbound the third lane will commence from the merging Mitchell Freeway / Leederville Parade on-ramp and running into the exiting East Parade off-ramp lane.

Westbound the third lane starts from the existing merge lane from the East Parade on-ramp and runs into the existing Loftus Street exit lane.

Mitchell Freeway:

The Mitchell Freeway, northbound, will be widened with an additional traffic lane from the Graham Farmer Freeway western portal to just beyond the Hutton Street (Osborne Park) off-ramp.

This project will be delivered in two (2) stages, the first being to the Vincent Street by May 2013, to coincide with closure of Riverside Drive, with the second stage to Hutton Street by the end of 2013.

The aforementioned second stage involves bridge works (widening) at the Vincent Street overpass. However Main Roads WA advises that the bridge was structurally designed to accommodate future widening.

To avoid potential environmental issues and approval constraints in the vicinity of Lake Monger, and to expedite the planning, design and awarding of contracts for the project, the Mitchell Freeway will be widened in the middle or centre of the freeway reserve (adjacent the railway line) rather than the outer or Lake Monger side.

The contract for the works will likely be a design and construct contract given the time constraints imposed.

While the majority of the project is relatively straight forward an innovative solution has been adopted in respect of improving access to the Vincent Street exit for Graham Farmer Freeway traffic.

Currently westbound Graham Farmer Freeway traffic wanting to exit at Vincent Street has to contend with the merging Mitchell Freeway traffic effectively requiring them to cross four (4) lanes of traffic in a short space of time and distance. To address this issue Main Roads WA intend to construct a slip lane from the Loftus Street exit that feeds back into the Mitchell Freeway in the outer or left hand lane. The idea being that the Vincent Street exit traffic joins the Loftus Street exit traffic taking them over the Mitchell Freeway. The new slip lane then directs them back into the outer left hand of the Mitchell Freeway which in inturn runs into the Vincent Street exit.

As indicated above the budget for the project is \$57 million.

Implementation and Impact upon the City of Vincent.

At this time the City is yet to see a Traffic Management Plan outlining how works will be managed. However if the current works on the Kwinana Freeway widening, from Leach Highway to Roe Highway, are used as a guide, there will be significant disruption.

It would therefore be expected that there will be an adverse impact upon the City's road network as motorists attempt to avoid delays and congestion by using alternative routes.

A further report will be presented to Council when Main Roads WA releases the Traffic Management Planning for the project.

CONSULTATION/ADVERTISING:

All consultation and advertising is being undertaken by the relevant State Government Departments.

LEGAL/POLICY:

Not applicable

RISK IMPLICATIONS:

Medium/High There is a high risk of extensive traffic congestion resulting from the proposed works on the Graham Farmer Freeway and Mitchell Freeway and possible increased traffic congestion as a result of the Riverside Works.

STRATEGIC IMPLICATIONS:

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

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:

The appropriate management of infrastructure is extremely important to ensure that it meets the current and future traffic and transport needs of the community.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

All parties acknowledge that there will be an adverse impact upon traffic in the inner city areas as a result of the closure of Riverside Drive to accommodate the Elizabeth Quay project. It is how the project is managed and the measures taken to mitigate traffic congestion that is critical to the success of the project.

At this time the City has limited ability to influence the outcomes but should continue to provide comment, both critical and constructive, where warranted.

9.3.1 Investment Report as at 30 June 2012

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	FIN0033
Attachments:	001 – Investment Report		
Tabled Items:	Nil		
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 **NOTES** the Investment Report for the month ended 30 June 2012 as detailed in Appendix 9.3.1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the level of investment funds available, the distribution of surplus funds in the short term money market and the interest earned to date.

BACKGROUND:

Interest from investments is a significant source of funds for the City, where surplus funds are deposited in the short term money market for various terms. Details are attached in Appendix 9.3.1.

Council’s Investment Portfolio is spread across several Financial Institutions in accordance with Policy Number 1.2.4.

DETAILS:

Total Investments for the period ended 30 June 2012 were \$19,211,000 compared with \$22,711,000 at 31 May 2012. At 30 June 2011, \$11,511,000 was invested.

Investment comparison table:

	2010-2011	2011-2012
July	\$11,109,646	\$13,511,000
August	\$22,184,829	\$24,011,000
September	\$20,084,829	\$22,011,000
October	\$20,084,829	\$21,511,000
November	\$21,086,506	\$21,011,000
December	\$19,585,155	\$18,011,000
January	\$19,335,155	\$25,011,000
February	\$18,335,510	\$23,811,000
March	\$17,635,510	\$27,111,000
April	\$15,535,743	\$24,511,000
May	\$14,035,743	\$22,711,000
June	\$11,511,000	\$19,211,000

Total accrued interest earned on Investments as at 30 June 2012:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$567,000	\$567,000	\$521,652	92.00
Reserve	\$700,000	\$700,000	\$785,309	112.19

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Funds are invested in accordance with the City's Investment Policy 1.2.4.

RISK MANAGEMENT IMPLICATIONS:

High: Section 6.14 of the Local Government Act 1995, section 1, states:

"(1) Subject to the regulations, money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested in accordance with Part III of the Trustees Act 1962."

COMMENT:

As the City performs only a custodial role in respect of monies held in Trust Fund Investments these monies cannot be used for Council purposes. As at 27 June 2011, key deposits, hall deposits, works bonds, planning bonds and unclaimed money were transferred into Trust Bank account as required by Local Government (Financial Management) Regulations 1996, Section 8 (1b).

Investment funds have been required to be drawn down during this month for the payment of suppliers and payroll.

The increase in investment fund as compared to previous year is due to \$8,065,000 loan received from WA Treasury and \$1,248,750 contribution from Department of Sport and Recreation for Beatty Park Redevelopment. \$5,000,000 was also received from State Government of Western Australia for a new lease agreement for the nib Stadium for 25 years.

The report comprises of:

- Investment Report;
- Investment Fund Summary;
- Investment Earnings Performance;
- Percentage of Funds Invested; and
- Graphs.

9.3.2 Authorisation of Expenditure for the Period 1 – 30 June 2012

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	FIN0032
Attachments:	001 – Creditors Report		
Tabled Items:	Nil		
Reporting Officers:	O Wojcik, Accounts Payable Officer; and B Tan, Manager Financial Services		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

1. Schedule of Accounts for the period 1 June – 30 June 2012 and the list of payments;
2. direct lodgement of payroll payments to the personal bank account of employees;
3. direct lodgement of PAYG taxes to the Australian Taxation Office;
4. direct lodgement of Child Support to the Australian Taxation Office;
5. direct lodgement of creditors payments to the individual bank accounts of creditors; and
6. direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;

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

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
Nil.		

COUNCIL DECISION ITEM 9.3.2

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

To present to the Council the expenditure and list of accounts approved by the Chief Executive Officer under Delegated Authority for the period 1 June – 30 June 2012.

BACKGROUND:

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

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

DETAILS:

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

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Automatic Cheques	072331 - 072483	\$225,688.17
Transfer of Creditors by EFT Batch	1393, 1395 – 1399, 1401, 1403 – 1407, 1410, 1411	\$4,813,080.87
Transfer of PAYG Tax by EFT	June 2012	\$341,498.65
Transfer of GST by EFT	June 2012	
Transfer of Child Support by EFT	June 2012	\$1054.29
Transfer of Superannuation by EFT:		
• City of Perth	June 2012	\$41,749.58
• Local Government	June 2012	\$160,895.86
Total		\$5,583,967.42
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$5,703.23
Lease Fees		\$8,234.45
Corporate Master Cards		\$11,680.82
Loan Repayment		\$113,688.59
Total Bank Charges & Other Direct Debits		\$139,307.09
Less GST effect on Advance Account		0.00
Total Payments		\$5,723,274.51

LEGAL POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2011-2016:

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

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

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

SUSTAINABILITY IMPLICATIONS:

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

ADVERTISING/CONSULTATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENT:

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

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

9.5.3 Tamala Park - Amendment to Establishment Agreement

Ward:	N/A	Date:	12 July 2012
Precinct:	N/A	File Ref:	PRO0739
Attachments:	001 - Amended Establishment Agreement		
Tabled Items:	Confidential Legal Advice from K Pettit, Senior Counsel		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council:

1. **APPROVES** the Establishment Agreement for the Tamala Park Regional Council as shown in Appendix 9.5.3; and
2. **AUTHORISES** the Mayor and Chief Executive Officer to sign and affix the Council's Common Seal to the Establishment Agreement.

COUNCIL DECISION ITEM 9.5.3

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF THE REPORT:

The purpose of this report is for the Council to approve of an amendment to the Tamala Park Regional Council Establishment Agreement.

BACKGROUND:

Previous Reports

This matter was previously reported to the Ordinary Meeting of Council held on 6 December 2005, whereby the Council resolved as follows:

"That the Council;

- APPROVES the Establishment Agreement for the Tamala Park Regional Council as shown in Appendix 10.4.7;*
- AUTHORISES the Mayor and Chief Executive Officer to sign and seal the Establishment Agreement when compiled in its final form;*
- APPROVES of the Establishment Agreement being submitted to the Hon. Minister for Local Government and Regional Development requesting approval from the Hon. Minister for the establishment of the Tamala Park Regional Council and for gazettal of the approval at the earliest possible date;*
- NOTES that settlement of Bush Forever issues with the Western Australian Planning Commission (WAPC) is well advanced and that compensation payments totalling \$16,334,000 be due for payment by the WAPC to the joint owners of Lot 118 Mindarie, the majority of which payment will be made by two (2) instalments in the 2005/06 financial year;*

- (v) *ENDORSES (in accordance with the proposed Establishment Agreement) payment of the compensation referred to in Clause (iv) above direct to the Tamala Park Regional Council, if the Council is established at the time that the payments by the WAPC are made to the owners and that in the event that the Tamala Park Regional Council is not established at the time that the WAPC payments are made, the amounts received by the Council be paid to a trust account and remitted to the Tamala Park Regional Council when the Tamala Park Regional Council is formally established."*

DETAILS:

The Tamala Park Regional Council (TPRC) has written to all Member Councils as follows.

At its meeting held on 21 June 2012, the TPRC resolved to request each of the participant Councils to agree to amend Clause 7 of the Establishment Agreement.

An amendment has been necessary to address issues raised by the City of Wanneroo as to whether the current Establishment Agreement enabled the member local governments to execute a Power of Attorney in relation to the sale of land by the TPRC.

The amendment also addresses matters concerning the GST provisions. The TPRC obtained an opinion from Mr Ken Pettit, Senior Counsel and also had the matter reviewed by McLeod's Barristers & Solicitors.

A copy of the confidential legal advice is Tabled and held by the Chief Executive Officer.

The Local Government Act sets out particular detail of what is required to be included in the Establishment Agreement for a Regional Council. Amongst the items that are required are the following:

- The name of the Regional Council
- The (geographic) region description
- The regional purpose
- Membership of the Regional Council
- How the Regional Council is financed
- The manner in which participants may withdraw from the Regional Council including settlement of obligations and assets
- Dispute resolution provisions.

All of the above matters are set out in plain English in the document attached.

CONSULTATION/ADVERTISING:

Nil required.

LEGAL/POLICY:

The new Regional Council will be established under the Local Government Act 1995 and will provide the legal vehicle to facilitate urban development of land jointly owned by 7 local authorities. The local authority interests in each case will be preserved through the Establishment Agreement and participation in Regional Council decision-making through nominated representatives from each of the constituent Councils.

RISK MANAGEMENT IMPLICATIONS:

Medium: The proposed amendment to the Establishment Agreement will remove any ambiguity relating to the transfer of land as a result of the sale of the various lots of the Catalina subdivision.

STRATEGIC IMPLICATIONS:

Development of Lot 118 will be consistent with the City's Strategic Plan 2011-2016 as follows:

Key Result Area 2 - "Economic Development" and, in particular, 2.1.3 - *"Develop business strategies that reduce reliance on rates revenue."*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the Council approve of the amendment to the Tamala Park Regional Council Establishment Agreement, as this will avoid any ambiguity relating to the transfer of land.

**9.5.4 Strategic Plan 2011-2016 – Progress Report for the Period
1 April 2012 – 30 June 2012**

Ward:	-	Date:	13 July 2012
Precinct:	-	File Ref:	(ADM0038)
Attachments:	001 – Strategic Plan Quarterly Progress Report		
Tabled Items:	Nil		
Reporting Officer:	J Highfield, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the progress report on the Strategic Plan 2011-2016 for the period 1 April 2012 – 30 June 2012, as shown in Appendix 9.5.4.

COUNCIL DECISION ITEM 9.5.4

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly report to the Council to keep it informed of the various strategies in the City's Strategic Plan for the period 1 April 2012 – 30 June 2012.

BACKGROUND

At the Ordinary Meeting of Council held on 22 March 2011 (Item 9.4.5) the Council considered this matter and resolved to adopt *"the amended Town of Vincent Strategic Plan 2011-2016"*.

DETAILS:

Progress reports are reported to Council for each quarter as follows:

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

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Council adopted its Plan for the Future at the Ordinary Meeting of Council held on 12 May 2009. The City's Strategic Plan forms part of the Plan for the Future. It is not a legal requirement to have a Strategic Plan, however, it is considered *"Best Practice"* management that a Strategic Plan be adopted to complement and be linked and aligned to both the Principal Activities Plan and Annual Budget.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2011-2016. The reporting on a quarterly basis is in accordance with the Strategic Plan 2011-2016 Key Result Area.

This is in keeping with the City's Strategic Plan 2011-2016 - *"Leadership, Governance and Management"*, in particular, Objective 4.1.2 - *"Manage the Organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Nil

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The progress report for the Strategic Plan indicates that the City's administration is progressing the various strategies in accordance with the Council's adopted programs and adopted budget.

9.5.5 Information Bulletin

Ward:	-	Date:	13 July 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 24 July 2012, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.5

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

DETAILS:

The items included in the Information Bulletin dated 24 July 2012 are as follows:

ITEM	DESCRIPTION	
IB01	Letter from the Western Australian Planning Commission regarding Town Planning Scheme No. 1 Amendment No. 31	1
IB02	Letter of Appreciation from the Cat Haven in Shenton Park regarding a Donation from the City	3
IB03	Letter from the Minister for Local Government; Heritage; Citizenship and Multicultural Interests	4
IB04	Progress Report No. 4 – Heritage Assistance Fund	5
IB05	Memorandum from Chief Executive Officer regarding Carbon Price and Carbon Farming Initiatives – Impacts on Mindarie Regional Council	8
IB06	Ranger Services Statistics for April, May and June 2012	12
IB07	Minutes from the Vincent Accord ‘Socialise with Safety’ Meeting held on 22 February 2012	19
IB08	Summary Minutes of the State Council Meeting held on 4 July 2012	24
IB09	Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 5 July 2012	46
IB10	Forum Notes - 3 July 2012	86

9.1.5 Nos. 22-28 (Lot 24 ; D/P 12501) Angove Street, North Perth – Proposed Change of Use from Shop, Eating House and Office Building to Shop and Small Bar (Unlisted Use)

Ward:	North	Date:	13 July 2012
Precinct:	North Perth Centre; P 9	File Ref:	PRO4621; 5.2012.165.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant’s submission 003 – Applicant response to submissions		
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 Bruce Arnold Architects on behalf of the owner, A, S&I, A&A Ntoumenopoulos for Proposed Change of Use from Shop, Eating House and Office Building to Shop and Small Bar (Unlisted Use) at Nos. 22-28 (Lot 24 ; D/P 12501) Angove Street, North Perth, and as shown on amended plans date stamped 21 May 2012, subject to the following conditions:

1. the hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	7:00am to 11:00pm
Friday and Saturday	7:00am to 12:00 midnight
Sunday	7:00am to 10:00pm

2. the hours of operation of the small bar where alcohol can be sold and/or served shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	11:00am to 10:30pm
Friday and Saturday	11:00am to 12:00 midnight
Sunday	11:00am to 10:00pm

3. the outdoor eating area (courtyard) is approved for a period of 12 months at which time the applicant may reapply for a continuation of the use. The hours of operation of the outdoor eating area (courtyard) shall be limited to:

DAY	HOURS OF OPERATION
Friday to Saturday	7:00am to 10:00pm - alcohol can be served from 11:00am to 10:00pm
Sunday and Thursday	7:00am to 8:00pm - alcohol can be served from 11:00am to 8:00pm

All activities and clean-up shall cease by 10.30pm Friday to Saturday and 8.30pm on Sunday to Thursday in the outdoor eating area (courtyard);

4. the maximum number of patrons to occupy the small bar at any one time shall be ninety-eight (98) persons;
5. packaged liquor shall not be sold at the premises;

6. the windows, doors and adjacent floor areas facing Angove Street shall maintain active and interactive frontages to Angove Street;
7. a detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained;
8. 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 Angove Street;
9. 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 and approved prior to the erection of the signage;
10. bin numbers and collection shall meet with the City's minimum service provision;
11. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT'**, the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:
 - (a) pay a cash-in-lieu contribution of \$13,230 for the equivalent value of 3.78 car parking spaces, based on the cost of \$3,500 per bay as set out in the City's 2012/2013 Budget; OR
 - (b) lodge an appropriate assurance bond/bank guarantee of a value of \$13,230 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:
 - (1) to the City at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or
 - (2) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
 - (3) to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired;
12. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT**, 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 approved Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development; and
13. The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City's Chief Executive Officer.

Moved Cr Buckels, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Topelberg, Seconded Cr Buckels

“That clauses 2 and 3 be amended to read as follows:

2. the hours of operation of the small bar where alcohol can be sold and/or served shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	11:00am to 10:30 11:00 pm
Friday and Saturday	11:00am to 12:00 midnight
Sunday	11:00am to 10:00pm

3. the outdoor eating area (courtyard) is approved for a period of 12 months at which time the applicant may reapply for a continuation of the use. The hours of operation of the outdoor eating area (courtyard) shall be limited to:

DAY	HOURS OF OPERATION
Friday to Saturday	7:00am to 10:00 11:00pm - alcohol can be served from 11:00am to 10:00 11:00pm
Sunday to Thursday	7:00am to 8:00 10:00pm - alcohol can be served from 11:00am to 8:00 10:00pm

All activities and clean-up shall cease by ~~10:30~~ 11:30pm Friday to Saturday and ~~8:30~~ 10:30pm on Sunday to Thursday in the outdoor eating area (courtyard);”

Debate ensued.

The Presiding Member A/Mayor Cr Warren McGrath ruled that he would consider and vote on Clauses 2 and 3 separately.

Debate ensued.

AMENDMENT TO CLAUSE 2 PUT AND CARRIED (5-2)

For: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Topelberg, Cr Wilcox

Against: Cr Maier, Cr Pintabona

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

AMENDMENT TO CLAUSE 3 PUT AND CARRIED (4-3)

For: Presiding Member A/Mayor Cr McGrath, Cr Harley, Cr Pintabona, Cr Topelberg,

Against: Cr Buckels, Cr Maier, Cr Wilcox

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (6-1)

For: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Pintabona,
Cr Topelberg, Cr Wilcox

Against: Cr Maier,

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

REASON FOR CHANGE IN HOURS:

1. To allow for a reasonable dinner service to be provided in the courtyard area, as requested by the applicant.
2. The requested hours are considered reasonable for the proposed use.

COUNCIL DECISION ITEM 9.1.5

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 Bruce Arnold Architects on behalf of the owner, A, S&I, A&A Ntoumenopoulos for Proposed Change of Use from Shop, Eating House and Office Building to Shop and Small Bar (Unlisted Use) at Nos. 22-28 (Lot 24 ; D/P 12501) Angove Street, North Perth, and as shown on amended plans date stamped 21 May 2012, subject to the following conditions:

1. The hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	7:00am to 11:00pm
Friday and Saturday	7:00am to 12:00 midnight
Sunday	7:00am to 10:00pm

2. The hours of operation of the small bar where alcohol can be sold and/or served shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	11:00am to 11:00 pm
Friday and Saturday	11:00am to 12:00 midnight
Sunday	11:00am to 10:00pm

3. The outdoor eating area (courtyard) is approved for a period of 12 months at which time the applicant may reapply for a continuation of the use. The hours of operation of the outdoor eating area (courtyard) shall be limited to:

DAY	HOURS OF OPERATION
Friday to Saturday	7:00am to 11:00pm - alcohol can be served from 11:00am to 11:00pm
Sunday to Thursday	7:00am to 10:00pm - alcohol can be served from 11:00am to 10:00pm

All activities and clean-up shall cease by 11:30pm Friday to Saturday and 10.30pm on Sunday to Thursday in the outdoor eating area (courtyard);

4. The maximum number of patrons to occupy the small bar at any one time shall be ninety-eight (98) persons;
5. Packaged liquor shall not be sold at the premises;

6. **The windows, doors and adjacent floor areas facing Angove Street shall maintain active and interactive frontages to Angove Street;**
 7. **A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained;**
 8. **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 Angove Street;**
 9. **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 and approved prior to the erection of the signage;**
 10. **Bin numbers and collection shall meet with the City's minimum service provision;**
 11. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:**
 - (a) **pay a cash-in-lieu contribution of \$13,230 for the equivalent value of 3.78 car parking spaces, based on the cost of \$3,500 per bay as set out in the City's 2012/2013 Budget; OR**
 - (b) **lodge an appropriate assurance bond/bank guarantee of a value of \$13,230 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:**
 - (1) **to the City at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or**
 - (2) **to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or**
 - (3) **to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired;**
 12. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, 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 approved Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development; and**
 13. **The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City's Chief Executive Officer.**
-

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given that the proposal relates to an unlisted use, being a small bar.

BACKGROUND:

The subject site is located within the North Perth Precinct and within a Commercial zone. The street numbers for the site are Nos. 22-28 Angove Street, however, the proposed small bar will be located within the buildings at No. 22 and No. 24 Angove Street Perth. The building at No. 22 Angove Street is being operated as an eating house and the building at No. 24 was previously occupied by an office. The remaining buildings on site are operating as retail.

History:

Date	Comment
28 April 2009	The City conditionally approved a change of use from shop to eating house and associated alterations.

DETAILS:

Landowner:	A, S & I, A & A Ntoumenopoulos
Applicant:	Bruce Arnold Architect
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Shop
Use Class:	Small Bar (Unlisted Use)
Use Classification:	"SA"
Lot Area:	551 square metres
Right of Way:	Northern side, sealed, 3 metres width

The application is for change of use from shop, eating house and office building to shop and small bar (unlisted use).

The proposed operating hours are:

Monday to Sunday	7:00am to 11:00am. Breakfast and no provision of alcohol.
Monday to Saturday	11:00am to 12:00am midnight. Lunch and dinner. Alcohol available for consumption.
Sunday	11:00 am to 10 pm. Lunch and dinner. Alcohol available for consumption.

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		N/A
Streetscape	N/A		N/A
Front Fence	N/A		N/A
Front Setback	N/A		N/A
Building Setbacks	N/A		N/A
Building Height	N/A		N/A
Building Storeys	N/A		N/A
Open Space	N/A		N/A
Bicycle Parking	N/A		N/A
Car Parking			✓
Privacy	N/A		N/A
Solar Access	N/A		N/A

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

Issue/Design Element: Parking	
Requirement:	Clause 7(iii) of Parking and Access Policy No. 3.7.1
Applicants Proposal:	The proposal is for a change of use from shop to small bar.
Performance Criteria:	Clause 7(iii): Where the number of bays proposed for a development is less than the number required, the City of Vincent may approve the parking situation in terms of the provisions of the Policy relating to Reciprocal Parking, Combined Parking, Shortfall Parking and/or Cash-in-lieu.
Applicant justification summary:	<p>A restaurant, Il Circolo, is already operating on the subject site. It is therefore anticipated there will be no increase in parking pressure for the small bar as it will replace the restaurant.</p> <p>During the day it is anticipated there will be a low turnover of patrons given there is zero tolerance in workplace for daytime alcohol consumption.</p> <p><i>"The demand for parking after working hours to suit the venues busier period, will be easily catered for because (1) the neighbouring retail, office and café establishments will be closed and patrons will have more accessibility to street parking and (2) there are two public car parks. (view Street and Wasley Street) which are within walking distance to the premises. These carparks are used during the day but at nights they are heavily underutilised.</i></p> <p><i>In addition the City of Vincent is currently constructing additional street parking bays on Woodville street at the corner of Angove."</i></p>
Officer technical comment:	The proposed development is considered to comply with the performance criteria as the calculated shortfall is 3.78 car bays and a condition is proposed for cash in lieu for the shortfall. Refer to "Comments" below for car parking discussion.

Car Parking	
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> Proposed Small Bar <ul style="list-style-type: none"> Restaurant – 1 bay per 4.5 persons of maximum number of persons approved for the site Maximum number of persons = 98 persons = 21.78 car bays Existing Shop <ul style="list-style-type: none"> Shop – 1 space per 15 square metres of gross floor area Gross Floor Area = 243 square metres = 16.2 car bays <p>Total car bays required = 37.98 car bays = 38 car bays</p>	= 38 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) 0.85 (the proposed development is within 400 metres of public car parking in excess of a total of 75 car parking spaces) 	(0.7225)
	= 27.455 car bays
Minus the car parking provided on-site	2 car bays

Car Parking	
Minus the most recently approved on-site car parking shortfall Council Minutes of City of Perth dated 15 August 1983 confirmed that the approved use of the site was retail and nil car bays were available. Therefore the overall shortfall is $30 \times 0.7225 = 21.675$ car bays	21.675 car bays
Resultant Shortfall	3.78 car bays

CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
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Consultation type: Twenty-one days advertising with sign on site and newspaper advertising.

Consultation period: 31 May 2012 to 21 June 2012.

Comments received: Five submissions were received; two objections, two supports and one neither support nor object.

Support – *“I think this development will enhance the area and provides a much needed option to the Rosemount Hotel as it will cater to a different clientele- those who wish to enjoy a quiet drink in a small civilised space.”*

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Anti-social behaviour.</p> <p>There are already five licensed venues in very close proximity of Angove St, including the Rosemount Hotel, The Classroom, the Rosemount Bowl, the North Perth Lawn Bowling Club and the Doll House Gentlemen’s Club. Another additional licensed venue will increase the anti-social behaviour being already experienced by the residents along Angove Street. Drunken people walking along the street late at night which result in loud noise and sometimes damage to property.</p> <p>Issue: Car Parking</p> <p>The shortfall in parking will have impact on Angove Street as there is already limited parking along this street.</p>	<p>Dismiss. The subject site is located within a commercial zone. Therefore uses like small bars are expected to be able to operate in this area. Moreover if this application is supported the applicant is required to submit a management plan addressing anti-social behaviour within and outside the premises.</p> <p>Dismiss. The shortfall in parking is supported. Refer “Comments”.</p>

Summary of Comments Received:	Officers Technical Comment:
<p>Concerns that the staff parking, service and delivery issues have not been addressed given the shortfall in parking on site.</p> <p>The right of way behind the subject site is narrow and will restrict movement of vehicles.</p>	<p>Dismiss. As per the City's Policy 3.7.1 relating to Parking and Access, the requirement for parking is based on the number of patrons, not staff. With regard to service and delivery, there is already an eating house operating on the subject site and therefore it is anticipated there will be no greater need for service delivery or associated problems.</p> <p>Dismiss. The City's Technical Services are satisfied that vehicles will be able to access/exit the site without having an impact on the adjoining properties along the laneway.</p>
<p><i>"The existing boiler structure currently has structural damage & will need repair work carried out plus an assessment of the asbestos roof especially in light of the proposal being an outdoor restaurant courtyard."</i></p>	<p>Noted. This matter will be addressed at the Building Permit stage.</p>

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

The applicant has provided a response to the objections, copy is attached.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

RISK MANAGEMENT IMPLICATIONS:

If this application is refused the applicant has a right of appeal to the State Administrative Tribunal.

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 following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue: Adaptive Reuse	Comment:
<p>The proposal uses an existing building for the proposed small bar. The adaptive use of this existing space has a lower environmental impact than constructing a new building for this purpose.</p>	

SOCIAL	
Issue: Small Bar – local community facility	Comment:
<p>The small bar has the potential to provide an additional entertainment option within the North Perth Centre. The proposal outlines that the venue is designed "to cater for an older more mature group of patrons and will function with more emphasis on food rather vice versa."</p>	

ECONOMIC	
Issue Small Bar – Active Use	Comment:
The proposed small bar has significant potential to provide a venue for the local community and for tourists that will build upon the existing economic development for example shops and restaurants. The use provides for additional employment opportunities as an economic benefit.	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Health Services

A preliminary assessment of the proposed small bar at Nos. 22-24 Angove Street, North Perth has revealed that the premises is expected to be sufficient for 98 persons, however this is subject to a final assessment being undertaken by the City's Health Services following construction. The maximum accommodation numbers may be further limited by permanent structures within the premises, floor area and exit widths.

Planning Services

Hours of Operation

The maximum permitted trading hours under the Liquor Control Act 1988 are as follows:

- “(a) on a day other than a Sunday - from 6 a.m. to midnight;*
- (b) on a Sunday - from 10 a.m. to 10 p.m.;*
- (c) on a Sunday that is New Year's Eve - from 10 p.m. to 12 midnight;*
- (d) on New Year's Day - from immediately after 12 midnight on New Year's Eve to 2 a.m.;*
- (e) on Good Friday or Christmas Day - from 12 noon to 10 p.m., but only for liquor sold ancillary to a meal supplied by the licensee;*
- (f) on ANZAC Day — from 12 noon to 12 midnight.”*

The proposed hours are as follows:

Monday to Sunday	7:00am to 11:00am. Breakfast and no provision of alcohol.
Monday to Saturday	11:00am to 12:00am midnight. Lunch and dinner. Alcohol available for consumption.
Sunday	11:00 am to 10 pm. Lunch and dinner. Alcohol available for consumption.

The proposed opening time 7.00 am from Monday to Sunday is considered acceptable except given between 7.00 am to 11 am there will only be breakfast served without the provision of alcohol. Moreover there is already an existing eating house operating on the subject site. With regard to close of business at 12 am (midnight) the City generally recommends for small bars that from Monday to Thursday the closing time be 11.00 pm which should be applicable for this proposed small bar. Moreover, given there are residential uses at the rear of the property it is recommended from Monday to Thursday serving of alcohol should be restricted to 10.30 pm so as to minimise any impact on the adjoining residential areas.

The recommended operating hours are:

Monday to Thursday	7:00am to 11:00pm; Alcohol being served from 11: am to 10.30pm.
Friday and Saturday	7:00am to 12:00am (midnight); Alcohol being served from 11:00am to 12:00 midnight and
Sunday	7:00am to 10:00pm; Alcohol being served from 11:00 am to 10:00pm.

Outdoor Eating Area (Courtyard)

The proposed outdoor eating area (courtyard) has the potential to impact on the adjoining rear residential properties in terms of noise. To minimise any noise associated with the use on the adjoining residential properties, it is recommended that the courtyard be approved for 12 months at which time the applicant may reapply for a continuation of the use and the hours of operation be restricted as follows:

Friday to Saturday	7.00am to 10.00pm- alcohol can be served from 11:00am to 10:00pm.
Sunday to Thursday	7.00am to 8.00pm- alcohol can be served from 11:00am to 8:00pm.

All activities and clean-up shall cease by 10.30pm Friday to Saturday and 8.30pm on Sunday to Thursday in the Outdoor Eating Area (courtyard).

Parking

The City's Policy No. 3.7.1 relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bay to provide and/or upgrade parking in other car parking areas.

Clause 22(i) of the City's Parking and Access Policy states the following:

"If the total requirement (after adjustment factors have been taken into account) is 10 bays or less, cash in lieu may be provided for any shortfall."

The subject site is located within a commercial zone and therefore it is reasonable to expect that types of uses, such as a small bar, would choose to be located in this area. Moreover it is considered that the proposed small bar will result in intensifying uses in the area however given one of the existing uses operates as an eating house, a small bar is complimentary and will provide increased activity on the street and night life which would add more vibrancy to the Centre; this is one of the visions of the Draft North Perth Master Plan.

The proposed shortfall in car parking (3.78 car bays) is considered acceptable in this instance, fee paying public car parks and other forms of public transport (such as buses and taxis) are available in this area.

In light of the above, given the site is located within a commercial zone and the shortfall in parking will not have any unreasonable impact on the amenity of the area, the proposal is recommended for approval, subject to standard and appropriate conditions.

9.1.4 No. 99 (Lot 2 ; D/P 4270) Palmerston Street, Perth – Demolition of the Existing Single House and Construction of Two and Three Storey Buildings Comprising Eight (8) Multiple Dwellings and Four (4) Single Bedroom Multiple Dwellings with Associated Car Parking

Ward:	South	Date:	13 July 2012
Precinct:	Hyde Park; P 12	File Ref:	PRO4867; 5.2012.86.2
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant’s submission 003 – Heritage Assessment		
Tabled Items:	Nil		
Reporting Officers:	R Narro, Senior Planning Officer (Statutory); and H Au, Heritage Officer		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

1. 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 Kim Bevilaqua; Bevilaqua Design Development on behalf of the owner, Tripleview Holdings Pty Ltd, for the Demolition of the Existing Single House at No. 99 (Lot 2 ; D/P: 4270) Palmerston Street, Perth, and as shown on amended plans stamp dated 10 July 2012, subject to the following conditions:

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

Advice Note

1. As the proposed development is located immediately adjacent to the Robertson Park and Archaeological Sites, which is significant for potential archaeology showing evidence of pre-historic use as well as early colonial use and Chinese Market Gardens, the State Heritage Office recommends that an archaeologist be engaged to provide advice prior to any ground disturbance work occurring; and
2. As per advice from the Department of Indigenous Affairs (DIA), the subject property is located within the Registered site 17849 Robertson Park. The landowner of No. 99 Palmerston Street shall submit the finalised plans to the Heritage Information Officer – Southern region at the DIA for further advice. The landowner shall also refer to the DIA’s Cultural Heritage Due Diligence Guidelines in determining whether the proposed activity may impact the Aboriginal heritage sites. Therefore, the City recommends that the landowner shall liaise with the DIA prior to the commencement of works on site to ensure compliance with the provisions of the Aboriginal Heritage Act 1972.

2. 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 Kim Bevilaqua; Bevilaqua Design Development on behalf of the owner, Tripleview Holdings Pty Ltd for Construction of Two and Three Storey Buildings Comprising Eight (8) Multiple Dwellings and Four (4) Single Bedroom Multiple Dwellings with Associated Car Parking at No. 99 (Lot 2 ; D/P: 4270) Palmerston Street, Perth, as shown on amended plans stamp dated 10 July 2012 , for the following reasons:

- 2.1 **Non-compliance with the Acceptable Development and Performance Criteria provisions of the City’s Policy No 3.2.1 relating to Residential Design Elements, with regard to the following Clauses:**

- 2.1.1 **SADC 5 and SPC 5 “Street Setbacks” relating to the setbacks of the ground and upper floors; and**

- 2.1.2 SADC 11 and SPC 11 "Buildings on Boundary". The boundary wall on the third storey on the southern boundary is not articulated which results in the wall being bulky which will have a visual impact on the adjoining southern property;
- 2.2 The proposed development does not comply with the following objective of the City of Vincent Town Planning Scheme No. 1:
- 2.2.1 to protect and enhance the health, safety and physical welfare of the City's inhabitants and the social, physical and cultural environment by virtue of the negative impact on the adjoining properties;
- 2.3 The design treatment of the building does not soften the visual appearance of the building when viewed from the adjoining properties;
- 2.4 It is considered that the site offers significantly more potential for a development consistent with the existing and emerging development outcomes than the current design offers; and
- 2.5 The proposed development would create an undesirable precedent for the development of surrounding lots, which is not in the interest of orderly and proper planning for the locality.

Moved Cr Maier, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

The Presiding Member A/Mayor Cr Warren McGrath ruled that he would consider and vote on Clause 1 and 2 separately.

CLAUSE 1 PUT AND LOST (1-6)

For: Cr Buckels

Against: Presiding Member A/Mayor Cr McGrath, Cr Harley, Cr Maier, Cr Pintabona, Cr Topelberg, Cr Wilcox,

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

REASON FOR REFUSAL:

There is an existing demolition licence for this property, which expires in August 2013 relating to the planning approval issued on the same date.

Debate ensued on Clause 2.

CLAUSE 2 PUT AND CARRIED (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

SUBSEQUENT MOTION

Moved Cr Harley, Seconded Cr Pintabona

“That an Advice Note be added as follows:

Notwithstanding current approvals for the site, the Council would strongly support adaptive re-use of the existing building at 99 Palmerston Street in any future development application and has provisions in the Town Planning Scheme providing discretion for variations.

SUBSEQUENT MOTION PUT AND CARRIED (6-1)

For: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Maier, Cr Pintabona, Cr Wilcox

Against: Cr Topelberg

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

MOTION AS AMENDED (INCLUDING THE ADVICE NOTE) PUT AND CARRIED (6-1)

For: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Maier, Cr Pintabona, Cr Wilcox

Against: Cr Topelberg

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.4

1. **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 Kim Bevilaqua; Bevilaqua Design Development on behalf of the owner, Tripleview Holdings Pty Ltd, for the Demolition of the Existing Single House at No. 99 (Lot 2 ; D/P: 4270) Palmerston Street, Perth, and as shown on amended plans stamp dated 10 July 2012; and
2. **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 Kim Bevilaqua; Bevilaqua Design Development on behalf of the owner, Tripleview Holdings Pty Ltd for Demolition of Existing Single House and Construction of Two and Three Storey Buildings Comprising Eight (8) Multiple Dwellings and Four (4) Single Bedroom Multiple Dwellings with Associated Car Parking at No. 99 (Lot 2 ; D/P: 4270) Palmerston Street, Perth, as shown on amended plans stamp dated 10 July 2012 , for the following reasons:**
 - 2.1 **Non-compliance with the Acceptable Development and Performance Criteria provisions of the City’s Policy No 3.2.1 relating to Residential Design Elements, with regard to the following Clauses:**
 - 2.1.1 **SADC 5 and SPC 5 “Street Setbacks” relating to the setbacks of the ground and upper floors; and**
 - 2.1.2 **SADC 11 and SPC 11 “Buildings on Boundary”. The boundary wall on the third storey on the southern boundary is not articulated which results in the wall being bulky which will have a visual impact on the adjoining southern property;**

- 2.2 The proposed development does not comply with the following objective of the City of Vincent Town Planning Scheme No. 1:
- 2.2.1 to protect and enhance the health, safety and physical welfare of the City's inhabitants and the social, physical and cultural environment by virtue of the negative impact on the adjoining properties;
- 2.3 The design treatment of the building does not soften the visual appearance of the building when viewed from the adjoining properties;
- 2.4 It is considered that the site offers significantly more potential for a development consistent with the existing and emerging development outcomes than the current design offers; and
- 2.5 The proposed development would create an undesirable precedent for the development of surrounding lots, which is not in the interest of orderly and proper planning for the locality.

Advice Note:

Notwithstanding current approvals for the site, the Council would strongly support adaptive re-use of the existing building at 99 Palmerston Street in any future development application and has provisions in the Town Planning Scheme providing discretion for variations.

ADDITIONAL INFORMATION:

On 13 July 2012, the City received a submission of support for the proposal as follows:

"I have been informed that the proposal might be rejected. I believe the plan is aesthetically, environmentally and socially appropriate.

I believe there was lobbying against the proposal by my neighbours arguing against its contemporary design in a largely federation style area. While I live in a 102 year old house, my opinion is that good design is good design and some mock schlock of colonial nostalgia would be a merely tawdry replica of a by-gone era when design was technically and imaginatively limited and environmentally insensitive and certainly not the best of 2012.

And again, while I live in a house, I believe the heavier density of the building is utterly appropriate for a more vibrant and environmentally sensitive city."

On 13 July 2012, the City was forwarded a further submission of support for the refusal of the application as follows:

"Dear Major and Councillors

Reference Item 9.1.4 No 99 Palmerston Street

Pamela Fruin, here... as an owner and resident of 2/101 Palmerston Street, I OBJECT to the proposed development by Bevilaqua Design Development on behalf of Tripleview Holdings Pty Ltd of the above mentioned site.

I welcome the view of the COV's officers expressed in the report of the current design of 8 double apartments and 4 single apartments as it fails to comply the city's development criteria and planning scheme. This proposal sets a dangerous precedent for future development.

While I am not opposed to the development of 99 Palmerston St per se, I am opposed to development that ignores the size, scale and density and is insensitive to the surrounding architecture.

I encourage you all to OPPOSE the current development proposal."

PURPOSE OF REPORT:

The report is referred to a meeting of Council as the application is for three (3) storey multiple dwellings and the number of objections received during the consultation period.

BACKGROUND:

The Council at its Ordinary Meeting held on 9 August 2011 conditionally approved two applications on the subject site as outlined below. There are two active planning approvals for the subject site valid until 9 August 2013.

History:

Date	Comment
9 June 2012	The Western Australian Planning Commission approved an application for a survey strata subdivision for four lots.
13 June 2010	The Council at its Ordinary Meeting conditionally approved an application for proposed three (3), three-storey grouped dwellings to the existing single house.
21 December 2010	The Council at its Ordinary Meeting resolved to defer an application for the proposed change of use from single house to lodging house.
27 January 2011	The applicant withdrew the application for proposed change of use from single house to lodging house.
9 August 2011	The Council at its Ordinary Meeting conditionally approved demolition of existing single house and construction of two, two-storey grouped dwellings to approved three, three-storey grouped dwellings.
9 August 2011	The Council at its Ordinary Meeting conditionally approved construction of three, three-storey grouped dwellings to existing single house- amended planning approval.

DETAILS:

Landowner:	Triple View Holdings Pty Ltd
Applicant:	Kim Bevilaqua: Bevilaqua Design Development
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Multiple Dwellings
Use Classification:	"P"
Lot Area:	1213 square metres
Right of Way:	N/A

The proposal is for demolition of existing single house and construction of two and three storey buildings comprising eight (8) multiple dwellings and four (4) single bedroom multiple dwellings with associated car parking.

ASSESSMENT:

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	✓		
Streetscape			✓
Front Fence			✓
Front Setback			✓
Building Setbacks			✓
Boundary Wall			✓
Building Height			✓
Building Storeys			✓

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Open Space	N/A		
Bicycles	✓		
Car Bays	✓		
Privacy	✓		
Solar Access	✓		
Site Works			✓
Essential Facilities			✓
Outdoor Living Area	✓		
Roof form			✓
Dividing wall			✓

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

Issue/Design Element:	Front Setback
Requirement:	Residential Design Elements SADC 5 Ground Floor= 8 metres First Floor: Balconies- 1 metre behind the ground floor main building line (9 metres). Upper Floor Walls – 2 metres behind the ground floor main building line (10 metres).
Applicant's Proposal:	<i>Palmerston Street (Eastern boundary):</i> Ground Floor= 4 metres First Floor: Balcony= 4 metres Upper floor wall= 6 metres
Performance Criteria:	Development is to be appropriately located on site to: <ul style="list-style-type: none"> • Maintain streetscape character; • Ensure the amenity of neighbouring properties is maintained; • Allow for the provision of landscaping and space for additional tree plantings to grow to maturity; • Facilitate solar access for the development site and adjoining properties; • Protect significant vegetation; and • Facilitate efficient use of the site. <p>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</p>

Issue/Design Element:	Front Setback
Applicant justification summary:	<p><i>“Averaged for the adjoining sites and twice the requirement under the R80 zoning and transitional to the 2 metre setbacks anticipated on the southern adjoining site and zero setbacks existing at the Malting’s development.</i></p> <p><i>The southern side of Palmerston Street is characterised by small lot ‘traditional’ big roofed single storey ‘heritage’ style dwellings whereas the northern side has a more diverse character. Here two storeys is the norm and a mixture of heritage re-se and Contemporary styles are evident. The development continues the two storey theme with a similar semi-transparent lot walling solution.”</i></p>
Officer technical comment:	<p>The proposed development is not considered to comply with the performance criteria in this instance for the following reasons:</p> <p>The Council at its Ordinary Council Meeting held on 9 August 2011 approved a front setback of 5.9 metres to 8.8 metres. Moreover the street setback is determined by the requirements of the Residential Design Elements Policy and not as per the R-Codes as stated by the applicant. It is noted the Malting’s development is not included when calculating the average setback given it is separated by Stuart Street.</p> <p>It is considered that the design treatment of the front façade is poor which results in the building being bulky. Given the reduced front setback and bulkiness of the front façade, the development will negatively impact on the streetscape.</p> <p>Objection was received with respect to the design treatment of the buildings from both the community and the Design Advisory Committee.</p> <p>It is considered that the site offers significantly more potential for a development consistent with the existing and emerging development outcomes than the current design offers and that also responds to the sites opportunity for achieving northern light and ventilation to dwellings.</p>
Issue/Design Element:	Building Setbacks
Requirement:	<p>Residential Design Elements SADC 7</p> <p>Western Boundary:</p> <p>First Floor= 4 metres</p>
Applicant’s Proposal:	<p><i>North-Western boundary:</i></p> <p>First Floor = 2.7 metres to 4 metres</p>
Performance Criteria:	<p>Side setbacks are to:</p> <ul style="list-style-type: none"> • Allow for significant landscaping between buildings, particularly for two-storey structures to soften the visual appearance when viewed from the street and neighbouring properties; • Ensure adequate daylight, direct sun and

Issue/Design Element:	Building Setbacks
	ventilation for buildings; <ul style="list-style-type: none"> • Moderate the visual impact of building bulk and scale on neighbouring properties; • Assist with the protection of reasonable privacy between adjoining properties; Complement the rhythm of the streetscape
Applicant justification summary:	No justification received.
Officer technical comment:	The proposed development is not considered to comply with the performance criteria in this instance for the following reasons: Whilst the setback is considered acceptable, it is considered that the design treatment of the building does not soften the visual appearance of the building when viewed from the park. An alternative design treatment would improve the interface with the park which will provide visual interest to the park area. Objection was received with respect to the design treatment of the buildings from both the community and the Design Advisory Committee. It is considered that the site offers significantly more potential for a development consistent with the existing and emerging development outcomes than the current design offers and that also responds to the sites opportunity for achieving northern light and ventilation to dwellings.

Issue/Design Element:	Boundary Wall
Requirement:	Residential Design Elements- SADC 11 Walls not higher than 3.5 metres with average height of 3 metres for 2/3 (35.3 metres) of the length of the balance of the boundary behind the front setback, to one side boundary.
Applicant's Proposal:	Two boundary walls South West Average height = 8.6 metres Maximum height= 10.2 metres Length= 37.6 metres North-East Average height= 8 metres Maximum Height = 9.2 metres
Performance Criteria:	Building walls are not to have an undue impact on the affected neighbour and the amenity of the streetscape.
Applicant justification summary:	The southern boundary walls are recessed and articulated with texture and colour variations.
Officer technical comment:	The proposed development is not considered to comply with the performance criteria in this instance for the following reasons:

Issue/Design Element:	Boundary Wall
	<p>The Council at its Ordinary Council Meeting held on 9 August 2011 approved a three storey building at the rear. The third storey wall was articulated to reduce the bulk on the adjoining properties.</p> <p>For this proposal, it is considered that the boundary wall on the third storey on the southern property is not articulated, which results in the wall being bulky, which will have a visual impact on the adjoining southern property.</p> <p>It is considered that the site offers significantly more potential for a development consistent with the existing and emerging development outcomes than the current design offers and that also responds to the sites opportunity for achieving northern light and ventilation to dwellings.</p>

Issue/Design Element:	Street Wall and Fences
Requirement:	<p>Maximum height of 1.8 metres above the foot path level.</p> <p>1.2 metres solid and the remaining 0.6 metre is to be fifty percent permeable.</p> <p>Meter box wall should have a maximum length of 1 metre perpendicular to the street.</p>
Applicant's Proposal:	<p>Solid fence wall</p> <p>Meter box wall - 2 metres in length</p>
Performance Criteria:	<p>Street walls and fences are to be designed so that:</p> <ul style="list-style-type: none"> • Buildings, especially their entrances, are clearly visible from the primary street; • A clear line of demarcation is provided between the street and development; • They are in keeping with the desired streetscape; and • Provide adequate sightlines at vehicle access points.
Applicant justification summary:	No justification received.
Officer technical comment:	<p>The proposed development is not considered to comply with the performance criteria in this instance for the following reasons:</p> <p>The solid walls will impact on the streetscape. In the event an application is supported on the subject site, the front fence and meter box requirements as per the Residential Design Elements Policy are to be addressed.</p>

Issue/Design Element:	Building Height and Number of Storeys
Requirement:	<p>Residential Design Elements- BDADC 5</p> <p>Maximum Height= 7 metres</p> <p>Maximum number of storeys= 2</p>

Issue/Design Element:	Building Height and Number of Storeys
Applicant's Proposal:	Maximum Height= 11.2 metres Three storeys
Performance Criteria:	Building height is to be considered to: Limit the height of dwellings so that no individual dwellings dominates the streetscape; Limit the extent of overshadowing and visual intrusion on the private space of neighbouring properties; and Maintain the character and integrity of the existing streetscape.
Applicant justification summary:	No justification received.
Officer technical comment:	Whilst the number of storeys is acceptable, it is considered the design treatment of the building is poor which results in the building being bulky which will have a visual impact on the adjoining properties. It is also noted that the design does not respond to the site particularly in relation to accessing northern light and ventilation to dwellings. Objection was received with respect to the number of storeys. It is considered that the site offers significantly more potential for a development consistent with the existing and emerging development outcomes than the current design offers.

Issue/Design Element:	Stores
Requirement:	Residential Design Codes- Clause 7.4.7 Minimum internal area= 4 square metres Minimum dimension = 1.5 metres
Applicant's Proposal:	Internal area= 3.4 square metres to 3.6 square metres
Performance Criteria:	Provision made for external storage, rubbish collection/storage areas, and clothes-drying areas that are: <ul style="list-style-type: none"> • adequate for the needs of residents; and • without detriment to the amenity of the locality.
Applicant justification summary:	No justification received.
Officer technical comment:	The proposed development is not considered to comply with the performance criteria in this instance for the following reasons: The variations to the areas of the stores will impact on the amenity of residents especially given residents do not have enclosed garages and will live in apartments with limited storage. If this application is supported the applicant should be requested to comply with the requirements for a store as per the R-Codes.

Issue/Design Element:	Roof Forms
Requirement:	Residential Design Elements- BDADC 3 Pitch roof between 30 degrees and 45 degrees is encouraged.
Applicant's Proposal:	Concealed Roof
Performance Criteria:	The roof of a building is to be designed so that: <ul style="list-style-type: none"> • It does not unduly increase the bulk of the building; • In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and • It does not cause undue overshadowing of adjacent properties and open space.
Applicant justification summary:	Steep pitch roofs represent health and safety risk.
Officer technical comment:	Whilst a concealed roof is acceptable, it is considered the design treatment of the building is poor which results in the building being bulky which it is considered will have a negative visual impact on the adjoining properties. It is considered that the site offers significantly more potential than the current design offers.

Issue/Design Element:	Retaining Walls
Requirement:	Residential Design Elements Setback= 1 metre Height= 0.5 metre
Applicant's Proposal:	Setback = Nil Height= 0.9 metre
Performance Criteria:	The siting and location of retaining walls is to have minimal impact on the amenity of adjoining properties. Retaining walls above 500 millimetres above natural ground level are to be treated in the same manner as building walls for the purposes of setback calculations.
Applicant justification summary:	No justification received.
Officer technical comment:	The variation is supported as it will not impact on the amenity of the adjoining property.

Issue/Design Element:	Dividing Fence
Requirement:	Local Law Maximum Height= 1.8 metres
Applicant's Proposal:	Green Wall Height= 5.4 metres Western boundary= 2.4 metres
Performance Criteria:	Not applicable
Applicant justification summary:	No justification received.
Officer technical comment:	The sustainability principles of a given wall are highly encouraged by the City however, the siting of large walls should be carefully considered to reduce any visual adverse impact on adjoining properties.

Car Parking	
Small Multiple Dwelling based on size (<75 square meters or 1 bedroom) - 1 bays per dwelling (4 multiple dwellings) = 4 car bays Medium Multiple Dwelling based on size (75 - 110 square metres) – 1.25 bay per dwelling (8 dwellings proposed) = 10 car bays Visitors = 0.25 per dwelling (12 dwellings) = 3 car bays Total car bays required = 17 car bays	17 car bays
Total car bays provided	23 car bays (20 residential car bays and 3 visitors car bays)
Surplus	6 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 12 dwellings proposed): <p>4 bicycle bays for the residents. 1 bicycle bay for the visitors.</p>
	5 bicycle bays are provided.

CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
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Consultation type: Twenty-one days advertising with sign on site and newspaper advertising.

Consultation period: 24 April 2012 to 15 May 2012.

Comments received: Six objections were received.

Summary of Comments Received:	Officers Technical Comment:
Issue: Demolition of existing building The existing single house should not be demolished and should be listed as Heritage building.	Dismiss. Refer to "Comments" below.
Issue: Design of the proposed development. The proposed development does not interface properly with the park at the rear as it does not provide surveillance and visual interest to the park area. The proposed frontage has a very limited visual permeability and poor articulation to the street.	Support. Refer to "Comments" below.
Issue: Number of storeys Three storey development will be out of character with the surrounding area.	Dismiss. The Council at its Ordinary Meeting held on 9 August 2011 approved a three-storey development on the site.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Traffic</p> <p>The proposed development will result in an increase in traffic which will impact on the adjoining properties.</p>	<p>Dismiss. The City's Technical Services area are satisfied that there will be no traffic impact on the adjacent properties.</p>
<p>Issue: Overshadowing</p> <p>There will be overshadowing of the adjoining northern outdoor living areas.</p>	<p>Dismiss. As per the R-Codes, overshadowing is only considered in respect of the adjacent southern property, not on the adjacent northern property. Moreover the development complies with overshadowing requirement as per the R-Codes.</p>
<p>Issue: Density</p> <p>The density of the development is too high which will result in a bulky development which impact on the streetscape.</p>	<p>Support-in-part. The criteria of density is no more applicable for multiple dwellings in the new R-Codes. Though the proposed development complies with the plot ratio, it is considered that the current design makes the building look bulky which will have a visual impact on the adjoining properties.</p>

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

Design Advisory Committee:

Referred to Design Advisory Committee: Yes, on 1 February 2012.

Summary of Design Advisory Committee Comments:

- The committee feels that this proposed development requires considerable improvement to meet the DAC quality criteria and that it is pursuing too many dwellings, resulting in greatly reduced private and public amenity. Reduce the quantity of proposed apartments and improve the amenity for the future occupants and adjacent properties.
- Increase street setbacks to be in context with adjacent buildings and conform with the town planning scheme.
- Reduce the bulk and scale of parapet walls.
- Introduce passive solar design principles generally. Maximise natural ventilation and day lighting to all spaces including bathroom and kitchen areas.

Applicant's Response to Design Advisory Committee Comments:

- *"With the developers we have reviewed the proposal at 1:50 scale with notional furniture arrangements and determined all are viable and would be acceptable to the current market. Consensus is to stay with the current social mix of 8 No./2 bed + 4 No./1 bed apartments with the internet/gymnasium shared facility 'amongst the trees'. We believe this proposal will meet the needs for mid-priced inner-urban residents requiring secure, easily managed and well equipped accommodation not wishing to reside in high-rise development.*
- *Front setback has now been increased to comply with the R-code requirements in context with adjoining properties to three times the R80 minimum. This has created a continuous balcony to the Palmerston Street frontage that, with privacy screening, 'softened' the R.O.C corner and side elevations of the angular street appearance."*
- *In addition to setback and corner treatment to the Palmerston Street frontage, we have provided side boundary recesses on the Robertson Park end apartments that will give articulation to the top edge of the parapet and, with the proposed revised colour and texture variations, reduce the visual bulk of these walls."*

- *All apartments now have natural light and ventilation to the kitchens & bathrooms. Units 102, 103 & 208 by 'solar tube' technology in fire rated shafts, units 207 & 311 by operable ventilated skylights in roof. In addition units 101 & 102 will have fixed ventilation & exhaust from above stores. Roof forms are orientated for maximum solar gain for photo-voltaic energy collection and all living spaces & terraces are oriented for N/W solar gain. Master bedrooms above ground are located away from Palmerston Street traffic noise."*

The amended plans submitted for planning approval which are subject to this Council report were referred to Design Advisory Committee on 20 June 2012 for reconsideration.

Summary of Design Advisory Committee Comments:

- The revised proposed design does not adequately address the concerns noted from the previous DAC review. It is expected that a significant change to the design is required to adequately address the issues identified.
- The DAC does not object to the proposed height or density.
- The site offers significantly more potential than the current design offers. Better use of the ROC for parking could provide significantly more on site space to plan apartments and increase communal and private landscaped spaces.
- Reconfigure the site to improve amenity, increase access to natural light and ventilation and reduce the size of parapet walls.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

RISK MANAGEMENT IMPLICATIONS:

If this application is refused the applicant has a right of appeal to the State Administrative Tribunal.

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 following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue:	Comment:
Given the site is large, there is potential for a better design with a preferred north/south orientation, which would improve natural light and ventilation to the dwellings; The proposal is east/west oriented, which limits the building's sustainability.	

SOCIAL	
Issue:	Comment:
The proposal would increase housing diversity and provide housing for smaller households within the City which are anticipated to grow and become a significant proportion of households.	

ECONOMIC	
Issue:	Comment:
The construction of the building will provide employment opportunities	

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Demolition

The existing dwelling at No. 99 Palmerston Street is a single storey Federation Bungalow constructed circa 1917, with a hipped tiled roof and white painted walls to all elevations.

A full Heritage Assessment was undertaken for No. 99 Palmerston Street in March 2007 by the City's Heritage Services, as part of the Municipal Heritage Inventory (MHI) Review conducted in 2006. The full Heritage Assessment indicates that the place does not meet the threshold for entry on the City's Municipal Heritage Inventory in accordance with the City's Policy No. 3.6.2 relating to Heritage Management – Assessment. The Council at its Special Meeting of Council (OMC) on 3 April 2007 resolved not to include the subject property on the City's Municipal Heritage Inventory.

A copy of the Heritage Assessment is attached.

In light of the above, the Heritage Officers have no objection to the demolition of the subject place subject to the condition and advice outlined below.

Referral to State Heritage Office and Department of Indigenous Affairs

As the place is abutting the State Heritage Office's State Register of Heritage Places Robertson Park, and is listed on the Department of Indigenous Affairs (DIA) Register of Aboriginal Sites, the subject application was referred to the State Heritage Office and DIA for comment.

The State Heritage Office advised that they have no objection to the application. The advice note provided by the Heritage Council and DIA are detailed below.

In light of the above, the Heritage Services have no objection to the proposal subject to standard condition for demolition and the provision of the following advice note:

- "...1. As the proposed development is located immediately adjacent to the Robertson Park and Archaeological Sites, which is significant for potential archaeology showing evidence of pre-historic use as well as early colonial use and Chinese Market Gardens, the State Heritage Office recommends that an archaeologist be engaged to provide advice prior to any ground disturbance work occurring; and*
- 2. As per advice from the Department of Indigenous Affairs (DIA), the subject property is located within the Registered site 17849 Robertson Park. The landowner of No. 99 Palmerston Street shall submit the finalised plans to the Heritage Information Officer – Southern region at the DIA for further advice. The landowner shall also refer to the DIA's Cultural Heritage Due Diligence Guidelines in determining whether the proposed activity may impact the Aboriginal heritage sites. Therefore, the City recommends that the landowner shall liaise with the DIA prior to the commencement of works on site to ensure compliance with the provisions of the Aboriginal Heritage Act 1972 "*

Technical Services

The balcony and roof of unit 206 will encroach into the right of way widening area. In the event this application is supported the applicant will be required to submit amended plans to show the deletion of this encroachment prior to the issue of a building permit.

Planning

Clause (6)(3)(b) of the City Town Planning Scheme No. 1 specifies the following:

“to protect and enhance the health, safety and general welfare of the City’s inhabitants and the social, physical and cultural environment;”

It is considered that the proposal does not meet the intent of the above objective for the following reasons:

- It is considered that the design treatment of the proposed building will result in the building being bulky which will impact on the streetscape and will have a negative visual impact on the adjoining properties.
- Given the site is large, there is potential for a better design with a preferred north/south orientation, which would improve natural light and ventilation to the dwellings; the proposal is east/west oriented which limits the building’s sustainability.

On the above basis and as outlined above in the assessment table, the proposed reduced street setback and design of the buildings will negatively impact on the amenity of the locality as it results in undue building bulk on the streetscape. As the proposed boundary wall on the third floor is not articulated, this will also result in the wall negatively impacting on the adjoining southern properties.

It is considered that the proposed two and three storey buildings would create an undesirable precedent for the development of surrounding lots, which is not in the interest of orderly and proper planning for the locality.

It is also noted that the proposal has not received a favourable response from the City’s Design Advisory Committee, as they have advised that the proposed development would require considerable improvement to meet the Design Advisory Committee’s quality criteria.

Due to the application’s significant departure from the Acceptable Development and Performance Criteria provisions of the City’s Residential Design Elements Policy No. 3.2.1 and City of Vincent Town Planning Scheme No. 1; it is recommended that the application be refused for the reasons outlined above.

9.1.3 No. 487 (Lot 1; STR 30763) Beaufort Street, Highgate – Proposed Change of Use from Shop, Office and Store to Eating House, Office and Store

Ward:	South	Date:	13 July 2012
Precinct:	Mt Lawley Centre; P11	File Ref:	PRO5537; 5.2012.154.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant’s Justification		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

CORRECTED OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Alisa Reid on behalf of the owners, CT Lam & TT Dang for Proposed Change of Use from Shop, Office and Store to Eating House, Office and Store at No. 487 (Lot 1; STR 30763) Beaufort Street, Highgate, and as shown on plans stamp-dated 6 June 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 Beaufort Street;
2. 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;
3. all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
4. the doors, windows and adjacent floor areas on the ground floor fronting Beaufort Street and Barlee Street shall maintain an active and interactive relationship with this street;
5. the total public floor area of the eating house shall be limited to 48.05 square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
6. PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:

6.1 Cash-in-lieu

- *6.1.1 pay a cash-in-lieu contribution of ~~\$27,285~~ \$24,645 for the equivalent value of 7.95 car parking spaces, based on the cost of ~~\$3,500~~ \$3,100 per bay as set out in the City’s 2012/2013 Budget;
OR
- *6.1.2 lodge an appropriate assurance bond/bank guarantee of a value of ~~\$27,285~~ \$24,645 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:
 - (a) to the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or

- (b) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- (c) to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

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

6.2 Acoustic Report

Prepare and Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;

6.3 Refuse Management

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

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

Commercial:

1 x mobile garbage bin per unit; and

1 x paper recycle bin per unit, or per 200 square metres of floor space;

6.4 Bicycle Parking Facilities

Two (2) class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility; and

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

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

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Topelberg

“That a new clause 8 be inserted as follows:

2. That a new clause 8 be inserted as follows:

8. One car parking space shall be provided at the rear of the premises and shall be sealed, drained, paved and line marked prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City.”

Debate ensued.

AMENDMENT NO 1 PUT AND LOST (1-6)

For: Cr Maier

Against: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Pintabona, Cr Topelberg, Cr Wilcox

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr Buckels

“That clause 6.1 be amended to read as follows:

6.1 **Cash-in-lieu**

6.1.1 pay a cash-in-lieu contribution of ~~\$24,645~~ **\$19,003** for the equivalent value of ~~7.95~~ **6.13** car parking spaces, based on the cost of \$3,100 per bay as set out in the City’s 2011/2012 Budget;
OR

6.1.2 lodge an appropriate assurance bond/bank guarantee of a value of ~~\$24,645~~ **\$19,003** to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

(a) to the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or

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

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

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

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED (6-1)

For: Cr Buckels, Cr Harley, Cr Maier, Cr Pintabona, Cr Topelberg, Cr Wilcox
Against: Presiding Member A/Mayor Cr McGrath

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

The Presiding Member A/Mayor Cr Warren McGrath called for further speakers against the Item.

Cr Topelberg commenced to speak. The Presiding Member asked Cr Topelberg if he was speaking "For" or "Against" the Item. Cr Topelberg responded by stating he may be speaking "For" or "Against", however was non-committal.

The Presiding Member A/Mayor Cr Warren McGrath advised Cr Topelberg if he was speaking "For" the Item, that he would let Cr Maier close the debate.

Cr Maier called a Point of Order and asked the Presiding Member under which Standing Order he was stopping Cr Topelberg from speaking.

The Presiding Member stated that the Standing Orders prescribe the Order for speaking on an Item and he had called for a speaker "Against" the Item. He conferred with the Chief Executive Officer as to whether his interpretation was correct and this was confirmed (Standing Orders Clause 5.4).

The Presiding Member dismissed the Point of Order and asked Cr Topelberg to continue speaking. Cr Topelberg then spoke on the matter.

MOTION AS AMENDED PUT AND CARRIED (5-2)

For: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Harley, Cr Topelberg, Cr Wilcox
Against: Cr Maier, Cr Pintabona

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.3

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 Alisa Reid on behalf of the owners, CT Lam & TT Dang for Proposed Change of Use from Shop, Office and Store to Eating House, Office and Store at No. 487 (Lot 1; STR 30763) Beaufort Street, Highgate, and as shown on plans stamp-dated 6 June 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 Beaufort Street;

2. 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;
3. all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
4. the doors, windows and adjacent floor areas on the ground floor fronting Beaufort Street and Barlee Street shall maintain an active and interactive relationship with this street;
5. the total public floor area of the eating house shall be limited to 48.05 square metres. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
6. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION**, the following shall be submitted to and approved by the City:

6.1 Cash-in-lieu

6.1.1 pay a cash-in-lieu contribution of \$19,003 for the equivalent value of 6.13 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

6.1.2 lodge an appropriate assurance bond/bank guarantee of a value of \$19,003 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

- (a) to the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or
- (b) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- (c) to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

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

6.2 Acoustic Report

Prepare and Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;

6.3 Refuse Management

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

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

Commercial:

1 x mobile garbage bin per unit; and

1 x paper recycle bin per unit, or per 200 square metres of floor space;

6.4 Bicycle Parking Facilities

Two (2) class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility; and

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

ADDITIONAL INFORMATION:

Car Parking	
Car parking requirement (nearest whole number) • Eating House Restaurant – 1 bay per 4.5 square metres of public floor area Public Floor Area = 48.05 square metres = 10.67 car bays	= 11 car bays
Total car bays required = 11 car bays	
Apply the adjustment factors. • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of a public car parking place with in excess of 75 car parking spaces)	(0.7225) = 7.9475 car bays
Minus the car parking provided on-site	Nil
Minus the most recently approved on-site car parking shortfall	1.82
Resultant shortfall	6.1275 car bays

The amendment to clause 6.1 has been calculated off \$3,100 per bay, in accordance with the Corrected Officer Recommendation provided to Council members on 18 July 2012.

It is noted that in the event that clause 6.1 is amended as outlined above, this does not include the additional car parking space proposed in the new clause 8. In the instance that clause 6.1 is amended and clause 8 is added, clause 6.1 will be required to be further amended to reflect one less car bay.

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given that there is a 7.95 car parking shortfall.

BACKGROUND:

History:

Nil.

Previous Reports to Council:

Nil.

DETAILS:

The application proposes a change of use from shop to eating house.

Landowner:	CT Lam & TT Dang
Applicant:	Alisa Reid
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Shop, Office and Store
Use Class:	Eating House, Office and Store
Use Classification:	"P"
Lot Area:	190 square metres
Right of Way:	North-western and south-western sides, 3 metres wide, sealed

ASSESSMENT:

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

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

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

Car Parking	
Car parking requirement (nearest whole number) • Eating House Restaurant – 1 bay per 4.5 square metres of public floor area Public Floor Area = 48.05 square metres = 10.67 car bays Total car bays required = 11 car bays	= 11 car bays
Apply the adjustment factors. • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of a public car parking place with in excess of 75 car parking spaces)	(0.7225) = 7.9475 car bays
Minus the car parking provided on-site	Nil
Minus the most recently approved on-site car parking shortfall	Nil
Resultant shortfall	7.9475 car bays

Bicycle Parking
<p>Eating House (48.05 square metres):</p> <ul style="list-style-type: none"> • 1 space per 100 square metres public area (class 1 or 2) = 0.4805 spaces • 2 spaces plus 1 space per 100 square metres public area (class 3) = 2.4805 spaces <p><u>Provided</u> 6 spaces</p>

The store and office are incidental to the eating house; therefore they have not been included in the car parking calculations, as they do not result in additional people visiting the site.

After applying the relevant adjustment factors, a total of 7.95 car bays will be required for the eating house. No compliant car bays have been provided for the proposed building, resulting in a shortfall of 7.95 car bays.

The proposed shortfall of 7.95 car bays is supported in this instance, subject to the payment of cash-in-lieu for the bays, as the subject site is located on Beaufort Street, which is a high frequency public transport route, providing alternative forms of transport to the subject site. The proposal also provides an excess number of bicycle facilities, encouraging other modes of transport. Further to this, the payment of cash-in-lieu for 7.95 car bays is considered acceptable as there are many constraints associated with small lot sizes and existing buildings, with regards to providing the required number of parking spaces and adequate manoeuvring on-site. If car parking were to be provided on-site, there is sufficient room for one (1) compliant car bay to be provided.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
Comments Period:	20 June 2012 to 4 July 2012		
Comments Received:	Nil		

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.*

Economic Development

2.1 *Progress economic development with adequate financial resources*

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

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

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

ENVIRONMENTAL	
Issue	Comment
	The proposal uses an existing building for the proposed eating house. The adaptive re-use of this existing space has a lower environmental impact compared to constructing a new building for this purpose. It is also noted that the development consists of a one-hundred (100) per cent non-permeable surface. As there are no permeable surfaces, stormwater management is important.

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

In view of the above, the application is supportable as it is considered that the proposal complies with the Performance Criteria of the Residential Design Codes and the City's Residential Design Guidelines. Accordingly, it is recommended the application be approved subject to standard and appropriate conditions.

9.1.2 Nos. 26-28 (Lots 3 & 4; D/P: 3858) Haynes Street, North Perth – Proposed Demolition of Two (2) Existing Dwellings and Construction of Three (3), Two-Storey Grouped Dwellings

Ward:	North	Date:	13 July 2012
Precinct:	North Perth; P8	File Ref:	PRO5734; 5.2012.177.1
Attachments:	001 – Property Information Report and Development Application Plans		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, 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 Metrostrata Developments Pty Ltd on behalf of the owners, V Taylor & Taylor Made Paving (WA) Pty Ltd for Proposed Demolition of Two (2) Existing Dwellings and Construction of Three (3), Two-Storey Grouped Dwellings at Nos. 26-28 (Lots 3 & 4; D/P: 3858) Haynes Street, North Perth, and as shown on plans stamp-dated 4 May 2012, subject to the following conditions:

1. a Demolition Licence shall be obtained from the City prior to commencement of any demolition works on the site;
2. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Haynes Street;
3. any new street/front wall, fence and gate within the Haynes 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;
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. first obtaining the consent of the owners of Nos. 24 and 30 Haynes 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. 24 and 30 Haynes Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;
6. in accordance with Clause 6.4.5 "Landscaping Requirements A5 of the Residential Design Codes, the street setback area is to be developed with a maximum of 50 per cent hard surface;

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

7.1. Amended Plans

Amended plans are required demonstrating the following:

- 7.1.1 in accordance with Clause SADC 5 "Street Setbacks" of the City's Residential Design Elements Policy, the dwellings are to setback an additional 0.9 metres from the front boundary, to provide for a minimum 7 metre ground floor street setback;
- 7.1.2 in accordance with Clause 6.5.4 "Vehicular Access" A4.3, the driveways are to be no closer than 0.5 metres to a side lot boundary;
- 7.1.3 the crossover widths are to be reduced to 3 metres wide; and
- 7.1.4 the crossover on proposed lot 2 is to be setback a minimum of 0.5 metres from the power pole;

7.2 Landscaping and Reticulation Plan

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

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

- 7.2.1 provision of increased soft landscaping of 10% percent of the total site with a view to significantly reduce areas of hardstand and paving;
- 7.2.2 minimum 50% of the street setback area being soft landscaped;
- 7.2.3 the location and type of existing and proposed trees and plants;
- 7.2.4 all vegetation including lawns;
- 7.2.5 areas to be irrigated or reticulated and such method;
- 7.2.6 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 7.2.7 separate soft and hard landscaping plants (indicating details of materials to be used).

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

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

7.3 Amalgamation of Lots

The subject land shall be amalgamated into one lot or subdivided into three lots on Certificate of Title; OR alternatively, prior to the submission of a Building Permit the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the City, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the City's solicitors or other solicitors agreed upon by the City, undertaking to amalgamate/subdivide the subject land into one/three lot(s) within 6 months of the issue of the subject Building Permit. All costs associated with this condition shall be borne by the applicant/owner(s); 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 9.1.2

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (6-1)

For: Presiding Member A/Mayor Cr McGrath, Cr Buckels, Cr Maier, Cr Pintabona,
Cr Topelberg, Cr Wilcox
Against: Cr Harley

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given that the development is within the Eton locality which is affected by Scheme Amendment No. 31.

BACKGROUND:

History:

Date	Comment
10 July 2012	The Council at its Ordinary Meeting resolved to recommend approval to the Western Australian Planning Commission for a three (3) lot freehold subdivision across Nos. 26 & 28 Haynes Street.

Previous Reports to Council:

The subdivision application presented to Council at its Ordinary Meeting held on 10 July 2012 comprised a three (3) lot freehold subdivision, with each of the lots having a site area of 416 square metres.

DETAILS:

The application proposes the demolition of two existing single houses and the construction of three, two-storey grouped dwellings.

Landowner:	V Taylor & Taylor Made Paving (WA) Pty Ltd
Applicant:	Metrostrata Developments Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R30/R40
Existing Land Use:	Two Single Houses
Use Class:	Grouped Dwellings
Use Classification:	"P"
Lot Area:	1,248 square metres
Right of Way:	Not Applicable

The lot is currently zoned Residential R30/R40 and as the existing buildings are being demolished, the development is to be in accordance with the R30 requirements.

The Minister for Planning has approved Scheme Amendment No. 31 for this area to be zoned Residential R20 subject to a sunset clause of 29 March 2013. Given this, this lot will return to a R20 zoning in the near future.

ASSESSMENT:

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

The application is assessed as R30 below:

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

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

The application is assessed as R30 below:

Issue/Design Element:	Streetscape
Requirement:	<p>Residential Design Elements BDADC 3 Roof pitches between 30 degrees and 45 degrees (inclusive).</p> <p>Residential Design Codes Clause 6.2.8 A8 A garage door and its supporting structures are not to occupy more than 50% of the frontage.</p>
Applicant's Proposal:	<p>Proposed Lots 1-3 24 degree 43 minute roof pitch. Garages occupy 52.81% of the frontage.</p>
Performance Criteria:	<p>Residential Design Elements BDPC 3 The roof of a building is to be designed so that:</p> <ul style="list-style-type: none"> • It does not unduly increase the bulk of the building; • In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and • It does not cause undue overshadowing of adjacent properties and open space. <p>Residential Design Codes Clause 6.2.8 P8 The extent of frontage and building façade occupied by garages assessed against the need to maintain a desired streetscape not dominated by garage doors.</p>
Applicant justification summary:	No justification received.

Issue/Design Element:	Streetscape
Officer technical comment:	<p>The proposed 24 degree 43 minute roof pitch to each of the dwellings complies with Performance Criteria of the City's Residential Design Elements as the proposed roof pitch is considered to be in keeping with the existing streetscape as the roof pitch of the adjoining properties ranges from 25 to 30 degrees.</p> <p>The proposal complies with the requirements of Clause 6.9.1 "Solar Access for Adjoining Sites" A1 of the R-Codes, therefore not resulting in any undue overshadowing of adjacent properties of open space.</p> <p>The proposed garages comply with the Performance Criteria provisions of the Residential Design Codes of Western Australia (R-Codes) as the proposed garages presenting to Haynes Street do not dominate the streetscape. The garages to the dwellings are setback 0.5 metre behind the main building line of the dwelling, therefore minimising the impact of the garages on the streetscape.</p>
Issue/Design Element:	Front Setback
Requirement:	<p>Residential Design Elements SADC 5 Ground Floor: 7.52 metres.</p>
Applicant's Proposal:	<p><u>Proposed Lots 1-3</u> Ground Floor: 6.1 metres.</p>
Performance Criteria:	<p>Residential Design Elements SPC 5 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 justification summary:	No justification received.

Issue/Design Element:	Front Setback
Officer technical comment:	<p>It is considered that the proposed ground floor setback does not comply with the Performance Criteria of the City's Residential Design Elements.</p> <p>The 6.1 metres setback combined with the boundary walls does not maintain the rhythm of the existing streetscape and results in unnecessary building bulk on both the streetscape and adjoining properties. A condition of approval is recommended which requires the street setback to be increased to a minimum of 7 metres from the front boundary, which therefore results in the entire proposed dwellings being setback in accordance with the average street setback.</p>

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>
Applicant's Proposal:	<p>2 boundary walls</p> <p><u>Proposed Lot 1 Eastern Wall</u> Length: 6.8 metres Maximum height: 3 metres Average height: 2.7 metres</p> <p><u>Proposed Lot 3 Western Wall</u> Length: 6.8 metres Maximum height: 3.1 metres Average height: 2.8 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.
Applicant justification summary:	No justification received.
Officer technical comment:	<p>The proposed development is considered to comply with the Performance Criteria provisions in this instance as they provide for effective use of space on-site.</p> <p>The proposal complies with the Acceptable Development provisions of Clause 6.8.1 "Visual Privacy" A1 of the R-Codes, demonstrating that the overall proposal protects privacy between the subject sites and adjoining properties.</p> <p>The proposed side and rear setback to the grouped dwellings comply with the Acceptable Development provisions of Clauses 6.3.1 "Buildings Setback from the Boundary" A1 and 6.9.1 "Solar Access for Adjoining Sites" of the R-Codes as the Acceptable</p>

Issue/Design Element:	Boundary Wall
	<p>Development provision provides for thirty-five (35) per cent of an adjoining property to be overshadowed; whereas the proposal results in the shadow falling over the Haynes Street road reserve. Therefore this ensures that the adjoining properties have adequate direct sun to major openings and outdoor living areas.</p> <p>The eastern and western boundary walls individually comply with the length and height requirements of Clause 6.3.2 "Buildings on Boundary" A2, therefore it is considered that boundary walls to two side boundaries does not have an adverse impact on the building bulk to the adjoining properties.</p>
Issue/Design Element:	Access & Parking
Requirement:	Residential Design Codes Clause 6.5.4 A4.3 Driveways no closer than 0.5 metres to a side lot boundary.
Applicant's Proposal:	Proposed Lots 1-3 Driveways are 0.4 metres from the side lot boundary.
Performance Criteria:	Residential Design Codes Clause 6.5.4 P4 Vehicular access provided so as to minimise the number of crossovers, avoid street trees, to be safe in use and not detract from the streetscape.
Applicant justification summary:	No justification received.
Officer technical comment:	A condition of approval is recommended which requires the driveways to be no closer than 0.5 metres to a side lot boundary to provide for adequate landscaping, which will add to softening the impact of the proposed dwellings and is in keeping with the streetscape.
Issue/Design Element:	Site Works
Requirement:	Residential Design Elements BDADC 7 Filling behind the street setback line and within 1m of a common boundary does not exceed 500 millimetres above the natural ground level at the boundary, or retained in accordance with the requirements under clause BDADC 8.
Applicant's Proposal:	Proposed Lot 2 Northern Boundary: Filling up to 518 millimetres above the natural ground level.
Performance Criteria:	Residential Design Elements BDPC 7 Minimise changes to natural ground level of the development lot.
Applicant justification summary:	No justification received.
Officer technical comment:	The proposed development is considered to comply with the Performance Criteria in this instance as the development retains the visual impression of the natural level of the site, as seen from both Haynes Street and the adjoining properties. It is due to the sloping nature of the site to the front north-eastern corner, that the excavation of the site exceeds 500 millimetres.

Issue/Design Element:	Essential Facilities
Requirement:	Residential Design Codes Clause 6.10.3 A3.1 Storage areas to have a minimum dimension of 1.5 metres.
Applicant's Proposal:	<u>Proposed Lots 1-3</u> Storage areas have a minimum dimension of 1 metre.
Performance Criteria:	Residential Design Codes Clause 6.10.3 P3 Provision made for external storage, rubbish collection/storage areas, and clothes-drying areas that are: <ul style="list-style-type: none"> • adequate for the needs of residents; and • without detriment to the amenity of the locality.
Applicant justification summary:	No justification received.
Officer technical comment:	<p>The proposed internal dimensions of the storage areas to each of the dwellings complies with Performance Criteria of the R-Codes as they are adequate for the needs of residents without having a detrimental effect on the amenity of the locality.</p> <p>The 1 metre minimum dimension is considered to be sufficient in this instance as the storage areas are located within the garages, therefore not requiring a large portion of them to be used for access, whilst meeting the minimum 4 square metre internal area requirement.</p>

With regards to an assessment under the R20 requirements, this would result in an additional variation in relation to the open space provisions. Clause 6.4.1 "Open Space Provision" A1 of the Residential Design Codes requires sites with a density coding of R20 to be provided with fifty (50) per cent open space (207.5 square metres); whereas the proposal comprises 48.79 per cent (202.49 square metres) open space. It is considered that the proposal complies with the Performance Criteria provisions of Clause 6.4.1. The proposed variation of 5.01 square metres still provides for a setting for the buildings as the side and rear setbacks comply with the requirements of Clause 6.3.1 "Buildings Setback from the Boundary" A1.

As it is a condition of approval that the dwellings are to be setback 7 metres from the front boundary, with the front setback area comprising a maximum of fifty (50) per cent hard surface, this will provide for an attractive streetscape. It is also considered that the proposal will suit the future needs of residents as the amount of open space provides for adequate car parking, opportunities for a range of domestic activities and space for utilitarian purposes.

It is also noted that there would be a further variation to Clause 6.3.2 "Buildings on Boundary" A2 of the Residential Design Codes as the R20 density coding provides for boundary walls with a maximum height of 3 metres and an average height of 2.7 metres; whereas the proposed western boundary wall has a maximum height of 3.1 metres and an average height of 2.8 metres. However as the proposed comprises two boundary walls, one to the eastern boundary and one to the western boundary, it is a variation to the requirements of the R30 density coding which has been discussed in the table above.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	21 June 2012 to 4 July 2012
Comments Received:	One (1) support and (1) neither support or object.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Cost</p> <p>Where the ground level is changed will retaining be installed at builder/owner expense?</p> <p>If fences are removed or altered will the builder/owner pay all costs?</p>	<p>Dismiss. Where the ground level is changed, the owner/applicant is required to show how soil is to be retained on-site, with all retaining required to be contained within the lot boundaries.</p> <p>If the fence is to be removed or altered, the owner needs to gain consent from the adjoining property owner in accordance with the requirements of the <i>Building Act 2011</i>. With regards to costs associated with the dividing fence, this is a civil matter which is determined under the <i>Dividing Fences Act 1961</i>.</p>
<p>Issue: Streetscape</p> <p>The garage had a flat roof which will clash with the streetscape. The gutter on the garage may cause problems for us as all the watershed will be on our property if it overflows.</p>	<p>Dismiss. The garages are proposed to have a 5 degree skillion roof. As the garage is located 0.5 metres behind the main building line, the dominance and impact of the garage is reduced. The 5 degree roof pitch is considered to be an architectural feature, with the dwelling having a 24 degree roof pitch which is in keeping with the streetscape.</p> <p>It is a standard requirement that all stormwater is to be retained on-site.</p>
<p>Issue: Sewerage</p> <p>The sewerage pipes in the lane at the rear are in a poor state and the increased discharge may cause problems.</p>	<p>Dismiss. Concerns relating to sewerage are not a planning consideration. If there are concerns relating to sewerage please contact the Water Corporation.</p>
<p>Issue: Pest control</p> <p>Prior to demolition will pest control (rat mice) be carried out?</p>	<p>Dismiss. Pest control is not a planning concern; however it forms part of the application for a demolition permit. Further information relating to pest control can be sought from the City's Environmental Health Services.</p>

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
	<p>The plans do not depict if the front setback area and outdoor living area comprise permeable or non-permeable surfaces; however there is sufficient room for adequate landscaping, comprising a permeable surface to be incorporated into the development. It is proposed to impose a condition of approval that a landscape plan be submitted, which is to include soft landscaping of 10 per cent of the total site.</p> <p>The design of the dwellings provides for adequate light and ventilation, as each of the dwellings comply with the Acceptable Development provisions of Clause 6.3.1 "Buildings Setback from the Boundary" A1 and 6.9.1 "Solar Access for Adjoining Sites" A1. These design elements reduce the need for and reliance on artificial heating, lighting and cooling.</p> <p>It is also noted that as the sites have a north-south orientation, each of the dwellings have been provided with outdoor living areas that take the best advantage of the northern aspect of the site.</p>

SOCIAL	
Issue	Comment
	<p>The proposed three (3) two-storey grouped dwellings provide for greater housing diversity within the City.</p>

ECONOMIC	
Issue	Comment
	<p>The construction of three (3) two-storey grouped dwellings will provide short-term employment opportunities.</p>

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS & CONCLUSION:

Scheme Amendment No. 31

The City is currently undertaking a Scheme Amendment to remove clauses 20(4)(c)(ii) and 20(4)(h)(i) from the Town Planning Scheme No. 1, to maintain the R20 zoning in parts of the North Perth Precinct and Mount Hawthorn Precinct. Based on the consultation, the majority of the community is supportive of the R20 zoning. It is noted that in the Draft Town Planning Scheme documentation the City will be recommending maintaining the existing R20 zoning within parts of this locality, with the exception of London Street which is considered capable of zonings greater than R20.

The amendment was adopted for final approval by the Council on 13 March 2012 and forwarded to the Western Australian Planning Commission (WAPC) to request the Minister for Planning to adopt the amendment for final approval. The matter was considered at the WAPC's Statutory Planning Committee on 26 June 2012; and the City has received final documents for approval for gazettal with a 29 March 2013 sunset clause. The change requested does not come into effect until published in the Government Gazette.

The site has been assessed against the R30 density coding, using the zoning at the time this report was prepared. The application with conditions relating to a greater front setback and driveways being no closer than 0.5 metres to a side lot boundary is considered to comply.

In view of the above, the application is supportable as it is considered that the proposal complies with the Performance Criteria of the Residential Design Codes and the City's Residential Design Guidelines. Accordingly, it is recommended the application be approved subject to standard and appropriate conditions.

9.4.1 Woodville Reserve Master Plan – Progress Report No. 2

Ward:	North	Date:	13 July 2012
Precinct:	North Perth	File Ref:	CMS0123
Attachments:	001 – Gantt Chart on Indicative Implementation Timelines 002 – Woodville Reserve Master Plan		
Tabled Items:	Nil		
Reporting Officers:	E Everitt, Community Development Officer; and B Grandoni, Acting Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** Progress Report No. 2 on the results of the Community Consultation on the Woodville Reserve Master Plan; and
2. **APPROVES** the Implementation Plan for the establishment of a Community Garden in the City, as shown at attachment 9.4.1A.

Moved Cr Maier, **Seconded** Cr Pintabona

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, **Seconded** Cr Wilcox

“That a new clause 3 be added as follows:

3. **DOES NOT SUPPORT use of part of the Parks and Recreation Reserve as a car park as shown on attachment 9.4.1 B**”

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

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

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.4.1

That the Council;

1. **RECEIVES** Progress Report No. 2 on the results of the Community Consultation on the Woodville Reserve Master Plan;
2. **APPROVES** the Implementation Plan for the establishment of a Community Garden in the City, as shown at attachment 9.4.1A; and
3. **DOES NOT SUPPORT** use of part of the Parks and Recreation Reserve as a car park as shown on attachment 9.4.1 B.

PURPOSE OF REPORT:

To provide a progress report to the Council on the development of a Woodville Reserve Master Plan, and the results of the Community Consultation.

BACKGROUND:

At the Ordinary Meeting of Council held on 24 April 2012, the following resolution was adopted:

“That the Council;

1. *Receives Progress Report No. 1 concerning the Woodville Reserve Masterplan proposal; and*
 - 1.2 *Progress Report providing an update on the approvals for the building and funding submissions;*
2. *ADOPTS in principle the Concept Masterplan and Timeline as shown in Appendix 9.4.1;*
3. *APPROVES the implementation plan for the establishment of a Community Garden in the City;*
4. *AUTHORISES the Chief Executive Officer to advertise the Draft Woodville Reserve Master Plan, as shown in Appendix 9.4.1 for public comment for a period of twenty eight (28) days inviting written submissions from the public in accordance with the City’s Policy No. 4.1.5 relating to Community Consultation;*
5. *REQUESTS the Chief Executive Officer to investigate the addition of soil improvers such as Bentonite or a similar clay material, including the budget required for application at the appropriate rate, to improve the physical characteristics of the community garden land for growth of fruit and vegetables. The addition of clay to improve sandy soils is consistent with guidance given at the City of Vincent Great Gardens Workshop 12 April 2012; and*
6. *NOTES that a further progress report will be submitted to the Council within three (3) weeks of the closing of the comment period.”*

DETAILS:

The Draft Woodville Reserve Master Plan was advertised to residents living in a one (1) kilometre radius of Woodville Reserve, equating to 707 properties in the North Perth area. The initial Consultation period ran from 7 May 2012 to 4 June 2012, and was then extended until 18 June 2012, with a second more detailed Consultation sent to the same 707 residences on 31 May 2012.

The initial Consultation included a cover sheet detailing the process of commenting on the proposals and contact information for City Officers. The initial Consultation contained the following information regarding the Draft Master Plan:

“Woodville Reserve is a City of Vincent Restricted Parks and Recreation Scheme Reserve and includes a number of community uses including the North Perth Multicultural Day Centre, North Perth Bowling Club, North Perth Tennis Club, Asgard Football Club, North Perth United Soccer/Football Club and Carpark. There are a number of proposed changes to the Reserve as shown on the attached concept plan.

The City recently received two Planning Applications for:

- 1) A colour bond shed of approximately 250 square metres in area (21 metres x 12 metres), situated within the northern aspect of Woodville Reserve to the east of the existing community services building to be used for a "Men's Shed"; and
- 2) The North Perth Multicultural Day Centre have made application for an extension to their existing community services building. This proposal involves a 169 square metre extension (10.56 metres x 16 metres) to be constructed directly adjoining the northern facade of the existing community services building, located within the north-west portion of Woodville Reserve.

Furthermore, Woodville Reserve is proposed to accommodate the City of Vincent Community Gardens project which is to be located between the Men's Shed and the Multicultural Day Centre.

The following car parking table outlines the parking requirements by building area:

Soccer Club	382 m ²
Bowls Club (Inc outbuilding)	528 m ²
Men's Shed	252 m ²
Multicultural Day Centre (Existing and Proposed)*	719 m ²
Total	1,881 m²
Recreation & Leisure (1 space per 30 m ²)	62.7 car bays
Adjustment Factors to be applied	
Car Parking requirement	63 car bays
Adjustment factors –	
Within 400 metres of a bus stop/station	0.85
Within 400 metres of one or more existing public car parking places with in excess of a total of 25 car parking spaces (Pansy St Car Park)	0.95
Adjustment Factor	0.8075 (0.95 x 0.85)
Total Parking Requirement after adjustment factors subtracted	48 car bays (63 x 0.8075)

*Includes an office area of approximately 30 m², the parking calculations for which have been assessed against the requirements for recreation and leisure given that the facility is used for recreational purposes.

An existing car parking area which can accommodate up to 50 car parking bays is located with access from Farmer Street. Given the car parking area provides for in excess of the total parking requirement of the above mentioned uses, parking provision is considered satisfactory."

Prior to the initial closing date, the City received seventeen (17) submission forms back from residents. Fourteen (14) of these were in support to the proposal, one (1) neither supported nor objected but had some concerns around the proposal and one (1) objected to the proposal.

Following the extension date, the City received a further six (6) submission forms, three (3) in support of the draft Master Plan and three (3) that were in support of the plan but had some questions or quires. The objections and questions received regarding the draft Master Plan are as follows:

Officers received a number of telephone calls and emails requesting more information regarding the programmes that would be utilizing the space in the draft Master Plan, promoting a two (2) week extension on the Consultation with more information sent out to residents to assist them in their submission. The extension notice for the consultation contained the following information:

“The Woodville Reserve Master Plan proposes to use the Reserve for a “Men’s Shed”, Community Garden and to extend the North Perth Multicultural Day Care Centre. Each one of these projects is designed to benefit the wider community as a whole. All three projects are meant to enhance the quality of life for all residents creating a safe, sustainable and aesthetically pleasing place for residents.

The Men’s Shed is a space for men where they can meet and be active. Men’s Sheds have been found to be beneficial from a mental health perspective, as it seems men talk about their issues and receive information about how to address them while they are actively doing something. Moreover, there are some wonderful community projects initiated from these sheds that have included but are not limited to: working with schools to teach students how to use tools and learn basic carpentry/mechanical skills, building a green house and gardens for schools, and fixing old computers to donate to senior residents. The Vincent Men’s Shed has a Steering Committee which is formed by Vincent Residents; the Steering Committee has visited other sheds and decided on the size of the shed as being suitable to accommodate similar projects to these other sheds. More information about the Men’s Shed movement can be found at www.mensshed.org.au.

The Multicultural Services Centre of WA provides centre based day care services to people from multicultural backgrounds, which are frail or have a disability. The services are based on the Wellness Approach; the Wellness Approach focuses on capacity building, maintaining function and minimising the impact of functional loss on Senior Citizens, language specific day centre programmes operate in North Perth. At the day centre, seniors can meet people from similar cultural and language backgrounds participate in craft activities, games, outings and physical exercises. The Day Care Centre has made an application for an extension to their existing community services building in order to provide more space for client activities, storage and office space.

The City of Vincent Community Gardens project is a proposed ‘veggie’ garden that will be open to all Vincent Residents. This Garden will have individual and community plots that residents can apply to be a part of. It is envisaged that in the future the garden will have therapeutic features such as water features and sitting space for community members to use even if not interested in planting. The Community Garden has a Steering Committee formed by Vincent Residents that will monitor the usage and security of the garden with City Support. When members of the public are assigned a plot or an allocation in the community plot they will agree to garden guidelines and operating principles to ensure the security, sustainability and aesthetics of the site are maintained to the highest standards. The City has also agreed to reinstate the site should the Garden not be successful. Whilst the Garden will have public access, the tool shed and storage space will be secure.”

CONSULTATION/ADVERTISING:

A Community Consultation outlining the Draft Woodville Master Plan was advertised to residents living in a one (1) kilometre radius of the Reserve; in total, this Consultation was sent to 707 properties in the North Perth area. The initial Consultation period ran from 7 May 2012 to 4 June 2012 but was extended until 18 June 2012 with a second Consultation containing more detailed information sent to the same 707 residences on 31 May 2012.

In total, the City received twenty three (23) submission forms, seventeen (17) were in support of the plan, four (4) neither supported nor objected but had some concerns and two (2) submissions objected to the proposal.

Consultation	
In Support:	Seventeen (17)
Comments Received	Officer Comments
<ul style="list-style-type: none"> The proposed and existing facilities within the area should be linked to each other to provide a more integrated area and effective access to all facilities, as opposed to the facilities all operating separately. 	<ul style="list-style-type: none"> Noted – it is considered that the Draft Woodville Reserve Master Plan addresses the overall approach to planning for the Woodville Reserve.
General Comments:	Two (2)
Comments Received	Officer Comments
<ul style="list-style-type: none"> Car parking proposed is not to the City's requirements (being paved, sealed, drained etc). 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> No facilities are provided for bus or mini bus parking which many seniors rely on for transport. 	<ul style="list-style-type: none"> Officers met with the North Perth Multicultural Day Centre regarding this issue of transport and accessibility. The Day Centre has Mini Bus Parking on the premises. Further to this many of the clients that the Day Centre provides a service to are transported to and from the premises in HACC operated vehicles, generally vans or mini buses which utilise the existing parking area without issue.
<ul style="list-style-type: none"> Any future lease provided to the Wellness Centre should clearly define and regulate the use of the facility. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> Ensure that the Wellness Centre is used strictly for wellness purposes, and not public gatherings involving alcohol and music. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> The proposed and existing facilities within the area should be linked to each other to provide a more integrated area and effective access to all facilities, as opposed to the facilities all operating separately. 	<ul style="list-style-type: none"> The City is working closely with the Tennis Club and Multicultural Centre to ensure the Woodville Reserve Master Plan is carried out in the most efficient way.
<ul style="list-style-type: none"> The Mens Shed should be located further south, closer to the adjoining internal car park, which would provide users better access. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> The design of the Mens Shed is poor and will not be an attractive feature in the area. 	<ul style="list-style-type: none"> The Men's Shed will be built with quality materials including a Community Garden to improve its appearance. Moreover, the City is discussing the possibility of using the Shed's exterior for public mural art. (* also see Footnote).
<ul style="list-style-type: none"> Council should make it a condition of approval that funds are to be provided within this year or the next year to complete the car parking to the City's requirements. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> It should be noted that if the Community Garden does not meet its objectives, then maintaining this designated area would need revisiting at Council (rate payer) expense in the future. 	<ul style="list-style-type: none"> The City will reinstate the land should the garden not meet its objectives within the first 12 months.
Objections:	Two (2)
Comments Received	Officer Comments

Consultation	
<ul style="list-style-type: none"> There are already enough facilities in the area and traffic and parking is already an issue. The proposed additions will exacerbate the problem, and decrease the amenity of the area. 	<ul style="list-style-type: none"> A survey of the number of vehicles utilising on-street parking in Namur and Farmer Streets was undertaken by the City's Ranger and Community Safety Services at differing intervals over the course of a day on four separate occasions. The maximum number of vehicles using on-street parking spaces at any one time during the course of the four days surveyed (Thursday 28/6, Sunday 1/7, Thursday 5/7 and Sunday 8/7) was 24 and 29 vehicles in Namur and Farmer Streets respectively. There is a total of 56 and 67 on street parking bays in Namur and Farmer Streets respectively, as such the maximum utilisation of on street parking on the days surveyed was 43% for both Namur and Farmer Streets. The traffic and parking should not be greatly impacted by the proposed Master Plan as the Multicultural Centre will not be gaining more staff or clients; their application for extension is simply to accommodate the clients currently using the service.
<ul style="list-style-type: none"> The City has taken the Pansy Street public car park into account when making its proposal to provide concession on the number of parking spaces required; as the car park is already at full capacity majority of the time, it will not ease the burden of the new proposed facilities. 	<ul style="list-style-type: none"> (*see Footnote)
<ul style="list-style-type: none"> The vacant area proposed as a 'car park' does not meet the requirements for car bays (paved, drained, sealed etc) and should not be considered as such. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> As no bays layout is proposed, no assumption can be made that 50 car bays would even be provided in the area. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> The proposed car bay area regularly is occupied by buses and other large vehicles which can have a dramatic impact on the number of car bays available. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> Clause 17 of the City's Parking and Access Policy 3.7.1 states that vacant land is not supported for any use other than occasional parking in which this is not the case. 	<ul style="list-style-type: none"> (* see Footnote)
<ul style="list-style-type: none"> The City should use funds collected from Cash in Lieu to pay to have the vacant area into a fully compliant car park. 	<ul style="list-style-type: none"> (* see Footnote)

* These are the subject of separate reports on this Agenda – Item Nos. 9.1.6 and 9.1.7:

- Item 9.1.6 – No. 10 (Lot 2545) Farmer Street, North Perth (Woodville Reserve) – Proposed Alterations and Additions (Wellness Centre) to Existing Recreational Facilities (Community Services Building – Multicultural Services Centre of Western Australia Inc.); and
- Item 9.1.7 – No. 10 (Lot 2545) Farmer Street, North Perth (Woodville Reserve) – Outbuilding Addition (Men's Shed) Including Workshop, Bathroom, and Office to Existing Recreational Facilities.

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 states:

"Community Development and Wellbeing

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

3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community.*

(a) *Build the capacity of individuals and groups within the community to initiate and manage programs and activities that benefit the broader community, such as the establishment of "men's sheds", community gardens, toy libraries and the like."*

SUSTAINABILITY IMPLICATIONS:

The Men's Shed has been designed with the intention of being sustainable by *"meeting the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity"*.

The Steering Committee recognises the importance of reducing their impact on the environment and will give consideration to this in the design of the Shed. The Shed will create social benefits by providing a communal space for local men, thereby increasing belonging and a sense of community. The Shed will provide economic sustainability by supporting local businesses.

The approval of the Community Garden Implementation Plan will assist the project in advancing to the planting stage. As outlined in the Plan, the collaboration with TAFE is a financially sustainable collaboration as much of the costs would be at TAFE's expense. This would leave money remaining in the Community Garden budget for resources, supplies, landscaping and advertising.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for the Community Gardens will be incurred under the following budgeted item:

Budget Amount:	\$10,000.00
Spent to Date:	<u>\$ 859.40</u>
Balance:	\$ 9,140.60

Expenditure for the Men's Shed will be incurred under the following budgeted item:

Budget Amount:	\$40,000.00
Spent to Date:	<u>\$ 239.25</u>
Balance:	\$39,760.75

A grant from Lotterywest for \$85,000 for capital works was awarded on 4 July 2012.

COMMENTS:

The Woodville Reserve Master Plan aims to create a space that fosters grassroots community projects. As a whole the Community supports the plan for the proposed Master Plan with little concern.

Any concerns the Community has brought forward have been addressed by the City with various service areas working together to ensure the Master Plan is carried out in a fashion that is least disruptive to the residents surrounding the area.

9.1.7 No. 10 (Lot 2545) Farmer Street, North Perth (Woodville Reserve) – Outbuilding Addition (Men’s Shed) Including Workshop, Bathroom, and Office to Existing Recreational Facilities

Ward:	North	Date:	13 July 2012
Precinct:	North Perth; P8	File Ref:	PRO3409; 5.2011.557.2
Attachments:	001 - Property Information Report and Development Application Plans 002 - Applicants description of the proposed Men’s Shed		
Tabled Items:	Nil		
Reporting Officer:	S De Piazzzi, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, APPROVES the application submitted by W Parker on behalf of the owner, the City of Vincent, for Proposed Outbuilding (Men’s Shed) including Workshop, Bathroom, and Office to Existing Recreational Facilities at No. 10 (Lot 2545; D/P: 143599) Farmer Street, North Perth (Woodville Reserve), as shown on plans date stamped 4 November 2011, subject to the following conditions:

1. 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;
2. The proposed car parking area(s) shall be sealed, drained, paved and line marked prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;
3. Workshop machinery shall operate between the hours of 9:00am to 5:00pm Monday to Saturday; and
4. 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.

Moved Cr Topelberg, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Pintabona

“That Clause 2 be deleted (and the following Clauses renumbered) as follows:

2. ~~The proposed car parking area(s) shall be sealed, drained, paved and line marked prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;”~~

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

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

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.7

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, APPROVES the application submitted by W Parker on behalf of the owner, the City of Vincent, for Proposed Outbuilding (Men's Shed) including Workshop, Bathroom, and Office to Existing Recreational Facilities at No. 10 (Lot 2545; D/P: 143599) Farmer Street, North Perth (Woodville Reserve), as shown on plans date stamped 4 November 2011, subject to the following conditions:

- 1. 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;**
- 2. Workshop machinery shall operate between the hours of 9:00am to 5:00pm Monday to Saturday; and**
- 3. 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.**

PURPOSE OF REPORT:

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

BACKGROUND:

The Men's Shed proposal was approved in principal by Council at its Ordinary Meeting held on 12 July 2011.

History:

Date	Comment
25 October 2011	Planning Approval issued under delegated authority for a Decking Addition to the existing Bowls Club on Woodville Reserve.

DETAILS:

A Community Consultation outlining the draft Woodville Reserve Masterplan was sent to residents living in a one (1) kilometre radius of the Reserve, in total this Consultation was sent to 707 properties in the North Perth area. The initial Consultation period ran from 7 May 2012 to 4 June 2012 but was extended until 18 June 2012 with additional information provided to 707 residences on 31 May 2012.

The second Consultation included an information sheet explaining to residents the process of commenting on the Consultation and contact information for City Officers should they have any enquires regarding the draft Masterplan. Details of the two proposed development applications as follows:

Woodville Reserve is a City of Vincent Restricted Parks and Recreation Scheme Reserve and includes a number of community uses including the North Perth Multicultural Day Centre, North Perth Bowling Club, North Perth Tennis Club, Asgard Football Club, North Perth United Soccer/Football Club and Carpark.

The City recently received two Planning Applications for: 1) A colour bond shed of approximately 250 square metres in area (21 metres x 12 metres), situated within the northern aspect of Woodville Reserve to the east of the existing community services building to be used for a "Men's Shed"; and

The North Perth Multicultural Day Centre have made application for an extension to their existing community services building. This proposal involves a 169 square metre extension (10.56 metres x 16 metres) to be constructed directly adjoining the northern facade of the existing community services building, located within the north-west portion of Woodville Reserve.

Further, Woodville Reserve is proposed to accommodate the City of Vincent Community Gardens project which is to be located between the Men's Shed and the Multicultural Day Centre.

Landowner:	City of Vincent
Applicant:	W Parker
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Restricted Parks and Recreation Scheme Reserve
Existing Land Use:	Recreational Facilities
Use Class:	Outbuilding
Use Classification:	N/A
Lot Area:	31,503 square metres (over nine lots)
Right of Way:	N/A

The proposed Men's Shed will be approximately 250 square metres in area and will consist of a workshop, small office, bathroom, and minimal kitchen facilities. It is proposed the shed will provide a place for people in the community to meet and pursue hobbies: A full description of the proposal as provided by the applicant is shown in Appendix 9.1.7 (Attachment 002).

ASSESSMENT:

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

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

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

Issue/Design Element:	Development on Reserves
Requirement:	N/A
Applicants Proposal:	Construction of a Men's Shed
Performance Criteria:	North Perth Precinct Policy Clause 3 The development of any further buildings on any of these sites should generally not be permitted unless they are unobtrusive in bulk and scale and are to be used for a purpose incidental to, and associated with, the primary use of the land. No healthy mature trees should be destroyed to facilitate development.
Applicant justification summary:	N/A

Officer technical comment:	The proposal is compliant with the North Perth Precinct Policy, in that the development is considered to be unobtrusive in bulk as it is single storey in height, and a reasonable size relative to the size of the block it is located on. The use of the shed is also considered to be incidental to the recreational uses of Woodville Reserve, providing recreation and social activities for its users in the form of various classes, social activities and fundraisers. Further, the proposal has been Approved in Principle by Council at its Ordinary Meeting held on 12 July 2011.
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Car Parking	
Car parking requirement (nearest whole number)	= 63 car bays
Soccer Club	382 m ²
Bowls Club (Inc Outbuilding)	528 m ²
Men's Shed	252 m ²
Wellness Centre (Existing and proposed)	719 m ²
Total Building Area	= 1,881 m²
Recreation and Leisure (1 space per 30 m ²)	= 62.7 car bays
Total car bays required = 63 car bays	
Apply the adjustment factors.	(0.8075)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.95 (within 400 metres of a public car parking place with in excess of 25 car parking spaces – Pansy Street Car Park) 	
63 x 0.8075 (0.85 x 0.95)	= 50.87 car bays
	= 51 car bays
Minus the car parking provided on-site	50 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant shortfall	1 car bay

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Consultation Period: 7 May 2012 to 18 June 2012

Comments received: The City received twenty two (22) submission forms, eighteen (18) were in support of the plan, two (2) neither supported nor objected but has some concerns and two (2) submissions objected to the proposal.

Consultation	
In Support:	Eighteen (18)
Comments Received	Officer Comments
<ul style="list-style-type: none"> • The proposed and existing facilities within the area should be linked to each other to provide a more integrated area and effective access to all facilities, as opposed to the facilities all operating separately. 	<ul style="list-style-type: none"> • Noted – it is considered that the Draft Woodville Reserve Master Plan (the subject of Item 9.4.1 of this Agenda) addresses the overall approach to planning for the Woodville Reserve.
<ul style="list-style-type: none"> • Connections to the Woodville Reserve with available public transport should be reviewed as currently no continuous accessible path of travel via Farmer Street via Farmer or Waugh/Namur Streets. 	<ul style="list-style-type: none"> • Noted – as above.

Consultation	
General Comments:	Two (2)
Comments Received	Officer Comments
<ul style="list-style-type: none"> Car parking proposed is not to the City's requirements (being paved, sealed, drained etc). 	<ul style="list-style-type: none"> Noted – The existing parking area, albeit unpaved, currently provides for adequate vehicle parking arrangements. Further to this, a condition has been placed on the approval that the proposed parking area shall be sealed, drained, paved and line marked prior to the first occupation of the development, the appropriateness of which will be determined by Council.
<ul style="list-style-type: none"> No facilities are provided for bus or mini bus parking which many seniors rely on for transport. 	<ul style="list-style-type: none"> Noted – As above. Further to this many of the clients that the Day Centre provides a service to are transported to and from the premises in HACC operated vehicles, generally vans or mini buses which utilise the existing parking area without issue.
<ul style="list-style-type: none"> Any future lease provided to the wellness centre should clearly define and regulate the use of the facility. 	<ul style="list-style-type: none"> Noted – These matters are considered in Item 9.1.6 on this agenda.
<ul style="list-style-type: none"> Ensure that the Wellness Centre is used strictly for wellness purposes, and not public gatherings involving alcohol and music. 	<ul style="list-style-type: none"> Noted – These matters are considered in Item 9.1.6 on this agenda.
<ul style="list-style-type: none"> The proposed and existing facilities within the area should be linked to each other to provide a more integrated area and effective access to all facilities, as opposed to the facilities all operating separately. 	<ul style="list-style-type: none"> Noted – These matters are considered in Item 9.4.1 on this agenda.
<ul style="list-style-type: none"> The Mens Shed should be located further south, closer to the adjoining internal car park, which would provide users better access. 	<ul style="list-style-type: none"> Noted – The application has been assessed based on the proposed location provided in the attached plans which is considered acceptable.
<ul style="list-style-type: none"> The design of the Mens Shed is poor and will not be an attractive feature in the area. 	<ul style="list-style-type: none"> Noted – Given that the proposal is for a Men's Shed, it is considered that the proposed structure is in keeping with the intended purpose, that being a shed to be used for recreational purposes. As such, the design of which is limited in that regardless of the shed that is proposed, the structure will ultimately still resemble a shed, that for which it is intended. Further to this, with a maximum peak ridge height of 4.21 metres, and the use of tapering either side, it is considered that the structure will not pose an undue impact on the amenity of the streetscape. The Men's Shed will be built with quality materials including a Community Garden to improve its appearance. Moreover, the City is discussing the possibility of using the Shed's exterior for public mural art.

Consultation	
<ul style="list-style-type: none"> • Council should make it a condition of approval that funds are to be provided within this year or the next year to complete the car parking to the City's requirements. 	<ul style="list-style-type: none"> • Noted – The existing car parking area located with access from Farmer Street is large enough in area to accommodate up to 50 car parking bays. Whilst this figure is based on a formalisation of the car parking area (paved, drained, sealed and line marked), in its current state it provides for adequate vehicle parking arrangements.
<ul style="list-style-type: none"> • It should be noted that if the community garden does not meet its objectives then maintaining this designated area would need revisiting at Council (rate payer) expense in the future. 	<ul style="list-style-type: none"> • Noted – These matters are considered in Item 9.4.1 on this Agenda.
Objections:	Two (2)
Comments Received	Officer Comments
<ul style="list-style-type: none"> • There are already enough facilities in the area and traffic and parking is already an issue. The proposed additions will exacerbate the problem, and decrease the amenity of the area. 	<ul style="list-style-type: none"> • Noted – A survey of the number of vehicles utilising on-street parking in Namur and Farmer Streets was undertaken by the City's Ranger and Community Safety Services at differing intervals over the course of a day on four separate occasions. The maximum number of vehicles using on-street parking spaces at any one time during the course of the four days surveyed (Thursday 28/6, Sunday 1/7, Thursday 5/7 and Sunday 8/7) was 24 and 29 vehicles in Namur and Farmer Streets respectively. There is a total of 56 and 67 on street parking bays in Namur and Farmer Streets respectively, as such the maximum utilisation of on street parking on the days surveyed was 43% for both Namur and Farmer Streets.
<ul style="list-style-type: none"> • The City has taken the Pansy Street public car park into account when making its proposal to provide concession on the number of parking spaces required. As the car park is already at full capacity, majority of the time it will not ease the burden of the new proposed facilities. 	<ul style="list-style-type: none"> • Dismissed – The City's Policy No. 3.7.1 relating to Parking and Access makes provision for public car parks to be considered in calculating car parking. Regardless of the occupancy of the public car park, all proposed uses within the required radius have equal right to have it taken into account for their car parking calculation.
<ul style="list-style-type: none"> • The vacant area proposed as a 'car park' does not meet the requirements for car bays (paved, drained, sealed etc) and should not be considered as such. 	<ul style="list-style-type: none"> • Dismissed – The existing parking area, albeit unpaved, currently provides for adequate vehicle parking arrangements. Further to this, a condition has been placed on the approval that the proposed parking area shall be sealed, drained, paved and line marked prior to the first occupation of the development, the appropriateness of which will be determined by Council.
<ul style="list-style-type: none"> • As no bay layout is proposed no assumption can be made that 50 car bays can be provided in the area. 	<ul style="list-style-type: none"> • Noted – The existing car parking area located with access from Farmer Street is large enough in area to accommodate up to 50 car parking bays. Whilst this

Consultation	
	figure is based on a formalisation of the car parking area (paved, drained, sealed and line marked), in its current state it provides for adequate vehicle parking arrangements.
<ul style="list-style-type: none"> The proposed car bay area is regularly occupied by busses and other large vehicles which can have a dramatic impact on the number of car bays available. 	<ul style="list-style-type: none"> Noted – The North Perth Multicultural Day Care Centre provides services to older people and people with a disability and their carer, who are transported to and from the Centre by bus (generally mini-bus or van). The current parking area has been suffice in meeting the parking needs of these larger vehicles and it is considered that the existing area will continue to do so until such time as it is formalised. Further to this, any illegal parking will be managed by the City's Ranger and Community Safety Services.
<ul style="list-style-type: none"> Clause 17 of the City's Parking and Access Policy 3.7.1 states that vacant land is not supported for any use other than occasional parking, to which this is not the case. 	<ul style="list-style-type: none"> Noted – Whilst the upgrade of the existing car park was not included in the 2012/13 budget, there is scope for proposed funding in the 2013/14 financial year subject to whether this condition is imposed as a requirement. Further to this, it is to be noted that Part 2, Section 12, of the City of Vincent Town Planning Scheme No. 1 states that a City of Vincent Scheme Reserve may be used for "a use which gives effect to the purpose for which the land is reserved under this Scheme". Given that the existing parking area supports the functioning of the uses that operate from Woodville Reserve through providing for adequate vehicle parking arrangements, it is considered that in this instance the continued use of the area currently utilised for vehicle parking is supported until such time that formalisation of the parking area occurs.
<ul style="list-style-type: none"> The City should use funds collected from Cash in Lieu to pay to have the vacant area into a fully compliant car park. 	<ul style="list-style-type: none"> Noted – As per previous comment

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

LEGAL/POLICY:

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

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

"Community Development and Wellbeing

3.1 *Enhance and promote community development and wellbeing*

3.1.3 *Promote health and wellbeing in the community.*

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

SUSTAINABILITY IMPLICATIONS:

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

ENVIRONMENTAL	
Issue	Comment
Potential damage to the reserve during construction and a reduced capacity for vegetation and drainage after completion of the shed.	

SOCIAL	
Issue	Comment
The Men's Shed will provide a place for people to meet and practice their hobbies, encouraging community based events and opportunities for residents.	

ECONOMIC	
Issue	Comment
As the proposal is located on City owned land, costs associated with the development and maintenance of the Shed may fall onto the responsibility of the City.	

FINANCIAL/BUDGET IMPLICATIONS:

Minutes from the Ordinary Meeting of Council 12 July 2011 9.3.2 outline a detailed explanation of the funding models.

COMMENTS & CONCLUSION:

The proposed Men's Shed is considered to be a positive addition to the Woodville Reserve, providing further options to the existing facilities for residents to meet and pursue their hobbies.

The development is not deemed to be of significant bulk in height being single storey and its coverage relative to the size of the reserve is not significant. As it will also be providing recreational opportunities, it is considered to be in line with the primary use of the land and therefore compliant with the requirements of the North Perth Precinct Policy.

The car parking shortfall is the only area which is considered to not fall within the requirements of the City's Policies. Although in its current state the parking area is not formalised, it continues to provide adequate vehicle parking arrangements. Whilst this application has also been received in conjunction with a separate application for proposed alterations and additions (Wellness Centre) to existing Recreational Facilities (Community Services Building, Item 9.1.6 on this Agenda, and Woodville Reserve also being the proposed site for the City of Vincent Community Gardens project, it is considered that the existing parking area will be able to adequately meet the needs of these proposals as they come to fruition.

Moreover, whilst the parking calculations equate to a shortfall of 1 parking space, it is to be noted that the calculations were based on the total area of existing (and proposed) buildings on Woodville Reserve, including areas beneath where eaves overhang, that which is normally excluded from the building area used to calculate parking requirements. The parking requirement also does not take into consideration the reciprocal nature of the parking demand in that the operating hours of each use will be of a varied nature. On these grounds it is considered that a shortfall of 1 parking space is supported in this instance.

Further to this, and as substantiated by the survey of on-street parking availability undertaken by the City's Rangers and Community Safety Services, there remains to be a significant capacity for on-street parking on Farmer and Namur Streets. It is also noted that whilst the upgrade of the existing car park was not included in the 2012/13 budget, there is scope for proposed funding in the 2013/14 financial year. The formalisation for which will provide parking for up to 50 vehicles.

In conclusion the proposal is considered to be in line with planning objectives. While there were concerns raised by the public over the lack of car parking (being the most prominent concern), this was deemed to be unfounded on further investigation of the use of the on-street parking bays surrounding Woodville Reserve. As such it is recommended that the proposed Men's Shed be approved subject to the conditions outlined in the Officer Recommendation.

9.1.6 No. 10 (Lot 2545) Farmer Street, North Perth (Woodville Reserve) – Proposed Alterations and Additions (Wellness Centre) to Existing Recreational Facilities (Community Services Building – Multicultural Services Centre of Western Australia Inc.)

Ward:	North	Date:	13 July 2012
Precinct:	North Perth; P8	File Ref:	PRO0079; 5.2011.552.2
Attachments:	001 - Property Information Report and Development Application Plans 002 - Letter from Applicant		
Tabled Items:	Business Case Application		
Reporting Officer:	G O'Brien, 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, APPROVES the application submitted by Glory Construction on behalf of the owner, the City of Vincent, for Proposed Alterations and Additions (Wellness Centre) to Existing Recreational Facilities (Community Services Building – Multicultural Services Centre of Western Australia Inc.) at No. 10 (Lot 2545; D/P: 143599) Farmer Street, North Perth, and as shown on plans date stamped 3 November 2011, subject to the following conditions:

1. 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;
2. The existing Community Services Building and proposed Wellness Centre shall be used exclusively for the delivery of Multicultural Services Centre of Western Australia Home and Community Care Services and not be hired out to external organisations or groups;
3. The proposed car parking area shall be sealed, drained, paved and line marked prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;
4. The proposed Wellness Centre shall operate its services from 8:30am to 4:30pm Monday to Friday; and
5. 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.

Moved Cr Maier, Seconded Cr Topelberg

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

“That clause 3 be deleted and the remaining clauses renumbered.

3. ~~The proposed car parking area shall be sealed, drained, paved and line marked prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City;”~~

Debate ensued.

COUNCIL DECISION ITEM 9.1.6

PROCEDURAL MOTION

Moved Cr Topelberg, Seconded Cr Buckels

That the item be DEFERRED for further information.

PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

PURPOSE OF REPORT:

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

BACKGROUND:

Woodville Reserve is a City of Vincent Restricted Parks and Recreation Scheme Reserve and includes a number of community uses including the North Perth Multicultural Day Centre, North Perth Bowling Club, North Perth Tennis Club, Asgard Football Club, North Perth United Soccer/Football Club and Carpark.

The North Perth Multicultural Day Care Centre of the Multicultural Services Centre of Western Australia (MSCWA) has been operating from 10 Farmer Street, North Perth, for over twenty years. The proposed alterations and additions (Wellness Centre) will be used for providing Home and Community Care (HACC) funded Centre-Based Day Care (CBDC) services to HACC eligible clients.

The Department of Health's HACC program provides basic support services to older people and people with a disability and their carers, to assist them to continue living independently at home.

History:

Date	Comment
23 January 2012	A Building License was issued for a pergola addition directly adjacent the existing community services building.

DETAILS:

Landowner:	City of Vincent
Applicant:	Glory Construction
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Restricted Parks and Recreation Scheme Reserve
Existing Land Use:	Recreational Facilities
Use Class:	Community Services Building
Use Classification:	N/A
Lot Area:	31,503 square metres (over nine lots)
Right of Way:	N/A

The North Perth Multicultural Day Centre (MSCWA) have made application for an extension to their existing community services building. The proposal involves a 169 square metre extension (10.56 metres x 16 metres) to be constructed directly adjoining the northern facade of the existing community services building, located within the north-west portion of Woodville Reserve.

The overall aim of the proposal is to enhance the capacity of the MSCWA's Farmer Street Centre to assist clients to retain/enhance their mobility and to learn or re-learn daily living skills that will enable them to remain living independently in their homes and the community. The services provided are based on the wellness approach, that which focuses on capacity building, maintaining function and minimising the impact of functional loss experienced by Senior Citizens. At the Centre, seniors can meet people from similar cultural and language backgrounds and participate in craft activities, games, outings and physical exercises.

The proposed alterations and additions are to refurbish the premises, upgrade the kitchen, install separate toilets with disability access for men and women and staff toilets, create suitable office spaces and construct a Wellness Activities Centre as an adjunct to the current premises that will be used solely for the delivery of MSCWA Home and Community Care Services.

A more detailed description of the project is Tabled.

It should be noted that in addition to this proposal, a separate application has also been made for a colour bond shed of approximately 250 square metres in area (21 metres x 12 metres), situated within the northern aspect of Woodville Reserve, to the east of the existing community services building, to be used as a "Men's Shed". The proposed Men's Shed will consist of a workshop, small office, bathroom and minimal kitchen facilities. The proposed Men's Shed will provide a place for people in the community to meet and pursue hobbies. For more detailed information of the proposal refer to Item 9.1.7 on this Agenda.

In addition to the above mentioned proposals, Woodville Reserve is also the proposed location for the City of Vincent Community Gardens project, that which is proposed to be located in the space between the proposed Men's Shed and Wellness Centre.

Given the various proposals for the site and further to that coupled with the concurrent nature in which they may take place, community consultation outlining the draft Woodville Reserve Masterplan, that which includes all proposals for the site, was undertaken from 7 May 2012 to 4 June 2012. The consultation was sent to residents living within a one (1) kilometre radius of the Reserve, totalling 707 properties. The consultation period was then extended to 18 June 2012 detailing more information on the above mentioned proposals.

ASSESSMENT:

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

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

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

Issue/Design Element:	
Requirement:	N/A
Applicants Proposal:	Alterations and Additions to Existing Community Services Building
Performance Criteria:	North Perth Precinct – Policy No. 3.1.8, Clause 3 The development of any further buildings on any of these sites should generally not be permitted unless they are unobtrusive in bulk and scale and are to be used for a purpose incidental to, and associated with, the primary use of the land. No healthy mature trees should be destroyed to facilitate development.
Applicant justification summary:	Appendix 9.1.6B (Attachment 002) and 9.1.6C (Attachment 003).
Officer technical comment:	The proposed development is considered to comply with the underlying objectives of the North Perth Precinct Policy. The proposed addition of a Wellness Activities Centre to the existing community services building is considered to be unobtrusive in bulk and scale relative to the existing building and also in respect of the wider context of the Reserve wherein the building is located. Further to this the use of the North Perth Multicultural Day Centre is considered to be incidental to, and associated with, the recreational uses, be it of an active or passive nature, of Woodville Reserve.

Car Parking	
Car parking requirement (nearest whole number)	= 63 car bays
Soccer Club	382 m2
Bowls Club (Inc Outbuilding)	528 m2
Men's Shed	252 m2
Wellness Centre (Existing and proposed)	719 m2
Total Building Area	= 1,881 m2
Recreation and Leisure (1 space per 30 m2)	= 62.7 car bays
Total car bays required = 63 car bays	
Apply the adjustment factors.	(0.8075)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.95 (within 400 metres of a public car parking place with in excess of 25 car parking spaces – Pansy Street Car Park) 	
63 x 0.8075 (0.85 x 0.95)	= 50.87 car bays
Minus the car parking provided on-site	50 car bays
Minus the most recently approved on-site car parking shortfall	Nil
Resultant shortfall	1 car bay

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Consultation Period: 17 May 2012 – 18 June 2012

Comments received: The City received twenty two (22) submission forms, eighteen (18) were in support of the plan, two (2) neither supported nor objected but had some concerns and two (2) submissions objected to the proposal.

Consultation	
In Support:	Eighteen (18)
Comments Received	Officer Comments
<ul style="list-style-type: none"> The proposed and existing facilities within the area should be linked to each other to provide a more integrated area and effective access to all facilities, as opposed to the facilities all operating separately. Connections to the Woodville Reserve with available public transport should be reviewed as currently no continuous accessible path of travel via Farmer Street or Waugh/Namur Streets. 	<ul style="list-style-type: none"> Noted – it is considered that the Draft Woodville Reserve Master Plan (the subject of Item 9.4.1 on this Agenda) addresses the overall approach to planning for the Woodville Reserve. Noted – as above.
General Comments:	Two (2)
Comments Received	Officer Comments
<ul style="list-style-type: none"> Car parking proposed is not to the City's requirements (being paved, sealed, drained etc). No facilities are provided for bus or mini bus parking which many seniors rely on for transport. Any future lease provided to the wellness centre should clearly define and regulate the use of the facility. Ensure that the Wellness Centre is used strictly for wellness purposes, and not public gatherings involving alcohol and music. The proposed and existing facilities within the area should be linked to each other to provide a more integrated area and effective access to all facilities, as opposed to the facilities all operating separately. The Mens Shed should be located further south, closer to the adjoining internal car park, which would provide users better access. The design of the Mens Shed is poor and will not be an attractive feature in the area. 	<ul style="list-style-type: none"> Noted – The existing parking area, albeit unpaved, currently provides for adequate vehicle parking arrangements. Further to this, a condition has been placed on the approval that the proposed parking area shall be sealed, drained, paved and line marked prior to the first occupation of the development, the appropriateness of which will be determined by Council. Noted – As above. Further to this many of the clients that the Day Centre provides a service to are transported to and from the premises in HACC operated vehicles, generally vans or mini buses which utilise the existing parking area without issue. Supported – These matters will be determined upon application for renewal of the lease of the premises. Supported – A condition has been placed on the planning approval stipulating that the existing community services building and proposed Wellness Centre shall be used exclusively for the delivery of Multicultural Services Centre of Western Australia Home and Community Care Services. Noted – These matters are considered in Item 9.4.1 on this Agenda. Noted – These matters are considered in Item 9.1.7 on this Agenda. Noted – These matters are considered in Item 9.1.7 and Item 9.4.1 on this Agenda.

Consultation	
<ul style="list-style-type: none"> • Council should make it a condition of approval that funds are to be provided within this year or the next year to complete the car parking to the City's requirements. 	<ul style="list-style-type: none"> • Noted – The existing car parking area located with access from Farmer Street is large enough in area to accommodate up to 50 car parking bays. Whilst this figure is based on a formalisation of the car parking area (paved, drained, sealed and line marked), in its current state it provides for adequate vehicle parking arrangements.
<ul style="list-style-type: none"> • It should be noted that if the community garden does not meet its objectives then maintaining this designated area would need revisiting at Council (rate payer) expense in the future. 	<ul style="list-style-type: none"> • Noted – These matters are considered in Item 9.4.1 on this Agenda.
Objections:	Two (2)
Comments Received	Officer Comments
<ul style="list-style-type: none"> • There are already enough facilities in the area and traffic and parking is already an issue. The proposed additions will exacerbate the problem, and decrease the amenity of the area. 	<ul style="list-style-type: none"> • Noted – A survey of the number of vehicles utilising on-street parking in Namur and Farmer Streets was undertaken by the City's Ranger and Community Safety Services at differing intervals over the course of a day on four separate occasions. The maximum number of vehicles using on-street parking spaces at any one time during the course of the four days surveyed (Thursday 28/6, Sunday 1/7, Thursday 5/7 and Sunday 8/7) was 24 and 29 vehicles in Namur and Farmer Streets respectively. There is a total of 56 and 67 on street parking bays in Namur and Farmer Streets respectively, as such the maximum utilisation of on street parking on the days surveyed was 43% for both Namur and Farmer Streets.
<ul style="list-style-type: none"> • The City has taken the Pansy Street public car park into account when making its proposal to provide concession on the number of parking spaces required. As the car park is already at full capacity, majority of the time it will not ease the burden of the new proposed facilities. 	<ul style="list-style-type: none"> • Dismissed – The City's Policy No. 3.7.1 relating to Parking and Access makes provision for public car parks to be considered in calculating car parking. Regardless of the occupancy of the public car park, all proposed uses within the required radius have equal right to have the adjustment factor taken into account for their car parking calculation.
<ul style="list-style-type: none"> • The vacant area proposed as a 'car park' does not meet the requirements for car bays (paved, drained, sealed etc) and should not be considered as such. 	<ul style="list-style-type: none"> • Dismissed – The existing parking area, albeit unpaved, currently provides for adequate vehicle parking arrangements. Further to this, a condition has been placed on the approval that the proposed parking area shall be sealed, drained, paved and line marked prior to the first occupation of the development, the appropriateness of which will be determined by Council.

Consultation	
<ul style="list-style-type: none"> As no bay layout is proposed no assumption can be made that 50 car bays can be provided in the area. 	<ul style="list-style-type: none"> Noted – The existing car parking area located with access from Farmer Street is large enough in area to accommodate up to 50 car parking bays. Whilst this figure is based on a formalisation of the car parking area (paved, drained, sealed and line marked), in its current state it provides for adequate vehicle parking arrangements.
<ul style="list-style-type: none"> The proposed car bay area is regularly occupied by busses and other large vehicles which can have a dramatic impact on the number of car bays available. 	<ul style="list-style-type: none"> Noted – The North Perth Multicultural Day Care Centre provides services to older people and people with a disability and their carer, who are transported to and from the Centre by bus (generally mini-bus or van). The current parking area has been suffice in meeting the parking needs of these larger vehicles and it is considered that the existing area will continue to do so until such time as it is formalised. Further to this, any illegal parking will be managed by the City's Ranger and Community Safety Services.
<ul style="list-style-type: none"> Clause 17 of the City's Parking and Access Policy 3.7.1 states that vacant land is not supported for any use other than occasional parking, to which this is not the case. 	<ul style="list-style-type: none"> Noted – Whilst the upgrade of the existing car park was not included in the 2012/13 budget, there is scope for proposed funding in the 2013/14 financial year subject to whether this condition is imposed as a requirement. Further to this, it is to be noted that Part 2, Section 12, of the City of Vincent Town Planning Scheme No. 1 states that a City of Vincent Scheme Reserve may be used for "a use which gives effect to the purpose for which the land is reserved under this Scheme". Given that the existing parking area supports the functioning of the uses that operate from Woodville Reserve through providing for adequate vehicle parking arrangements, it is considered that in this instance the continued use of the area currently utilised for vehicle parking is supported until such time that formalisation of the parking area occurs.
<ul style="list-style-type: none"> The City should use funds collected from Cash in Lieu to pay to have the vacant area into a fully compliant car park. 	<ul style="list-style-type: none"> Noted – As per previous comment.

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 may have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act*.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

"Community Development and Wellbeing

3.1 *Enhance and promote community development and wellbeing*

3.1.3 *Promote health and wellbeing in the community.*

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

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2011-2016 states:

"2.1.1 Improve and maintain the natural and built environment and infrastructure

2.1.2 Progress economic development with adequate financial resources

2.1.3 Enhance community development and wellbeing

2.1.4 Provide good strategic decision-making, governance, leadership and professional management; supported by a safe, positive and desirable workplace with knowledge management and technology"

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

ENVIRONMENTAL	
Issue	Comment
	The site of the proposed alterations and additions to the North Perth Multicultural Day Care Centre is currently an underutilised area of grass with no significant vegetation present that would be lost as a result of this development. The environmental impact associated with the construction phase is not considered to be significant relative to the social and economic benefits that the proposed alterations and additions will facilitate.

SOCIAL	
Issue	Comment
	The proposed alteration and additions to the existing community services building will better enable the North Perth Multicultural Day Care Centre to meet its purpose and objectives in delivering MSCWA Home and Community Care Services. In doing so, the Centre will be well equipped through a greater capacity and level of service, to be able to continue to provide invaluable community service that supports Senior Citizens, people with a disability and their carers to assist them to continue living independently at home.

ECONOMIC	
Issue	Comment
	The proposed alterations and additions will assist in supporting the local economy through providing work for those in the construction industry. The project will also assist in developing the capacity of the MSCWA to continue to grow and enable the organisation to expand its outreach in being able to provide Home and Community Care Services.

FINANCIAL/BUDGET IMPLICATIONS:

The proposed alterations and additions are being funded jointly by the Department of Health and Lotterywest. There is however scope for proposed funding in the 2013/14 financial year for an upgrade of the existing car park subject to whether the condition to upgrade the existing car park is imposed as a requirement that the applicant must meet to satisfy Development Approval.

COMMENTS & CONCLUSION:

The above mentioned proposal for alterations and additions (Wellness Centre) to the existing community services building (North Perth Multicultural Day Care Centre) is considered to be an appropriate use of a City of Vincent Restricted Parks and Recreation Scheme Reserve. It is noted that Part 2, Section 12, of the City of Vincent Town Planning Scheme No. 1 states that a City of Vincent Scheme Reserve may be used for "a use which gives effect to the purpose for which the land is reserved under this Scheme". Given that the use of the land is reserved for that of recreation, be it of an active or passive nature, it is considered that the use of Woodville Reserve to support the provision of Home and Community Care services is an appropriate use of the land.

The MSCWA has provided a Day Centre at 10 Farmer Street, North Perth, for over twenty years providing services to frail aged and younger people with disabilities. The proposal to upgrade the facilities to better enable the organisation to meet its service objectives is supported on all accounts given the invaluable nature of the service that is provided.

An important consideration in the assessment of the proposal has been that of the existing parking area that is utilised to service the Centre. Although in its current state the parking area is not formalised, it continues to provide adequate vehicle parking arrangements. Whilst this application has also been received in conjunction with a separate application for a proposed Men's Shed (Item 9.1.7 on this Agenda), and Woodville Reserve also being the proposed site for the City of Vincent Community Gardens project, it is considered that the existing parking area will be able to adequately meet the needs of these proposals as they come to fruition.

Moreover, whilst the parking calculations equate to a shortfall of 1 parking space, it is to be noted that the calculations were based on the total area of existing (and proposed) buildings on Woodville Reserve, including areas beneath where eaves overhang, that which is normally excluded from the building area used to calculate parking requirements. The parking requirement also does not take into consideration the reciprocal nature of the parking demand in that the operating hours of each use will be of a varied nature. On these grounds it is considered that a shortfall of 1 parking space is supported in this instance.

Further to this, and as substantiated by the survey of on-street parking availability undertaken by the City's Rangers and Community Safety Services, there remains to be a significant capacity for on-street parking on Farmer and Namur Streets. It is also noted that whilst the upgrade of the existing car park was not included in the 2012/13 budget, there is scope for proposed funding in the 2013/14 financial year. The formalisation for which will provide parking for up to 50 vehicles.

As such, approval is recommended.

9.1.1 No. 90 (Lot 399; D/P: 2334) Hobart Street, Mount Hawthorn – Demolition of Existing Single House

Ward:	North	Date:	13 July 2012
Precinct:	Mount Hawthorn, P1	File Ref:	PRO2963
Attachments:	001 – Heritage Assessment		
Tabled Items:	Nil		
Reporting Officer:	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, APPROVES the application submitted by D M Beausang for proposed Demolition of Existing Single House, at No. 90 (Lot 399; D/P: 2334) Hobart Street, Mount Hawthorn, and as shown on plans stamp-dated 30 May 2012, subject to the following conditions:

1. a Demolition Permit shall be obtained from the City prior to commencement of any demolition work on the site;
2. no street verge tree(s) shall be removed. The street verge tree(s) shall be retained and protected from any damage including unauthorized pruning;
3. PRIOR TO THE ISSUE OF A BUILDING PERMIT, the following shall be submitted to and approved by the City:

3.1 Demolition Management Plan

A Demolition Management Plan, detailing how the demolition of the development will be managed to minimise the impact on the surrounding area, addressing the following issues:

- 3.1.1 public safety, amenity and site security;
- 3.1.2 contact details of essential site personnel;
- 3.1.3 construction/demolition operating hours;
- 3.1.4 noise control and vibration management;
- 3.1.5 Dilapidation Reports of nearby properties;
- 3.1.6 air and dust management;
- 3.1.7 stormwater and sediment control;
- 3.1.8 soil excavation method and de-watering (if applicable);
- 3.1.9 waste management and materials re-use;
- 3.1.10 traffic, access management, including heavy vehicle access;
- 3.1.11 parking arrangements for contractors and subcontractors;
- 3.1.12 Notification Plan of nearby properties; and
- 3.1.13 any other matters deemed appropriate by the City, including photographs of the precondition of existing City infrastructure such as footpaths, verge and street trees;

4. A detailed Vacant Lot Management Plan, prepared in consultation with the City's Health Services, Parks and Property Services and Planning and Building Services for the site at No. 90 (Lot 399; D/P: 2334) Hobart Street, Mount Hawthorn shall be submitted and approved prior to the issue of a Demolition Permit. The City encourages property owners to appropriately maintain vacant land in a safe, secure and tidy manner in the interest of the community. The management plan shall include details of the proposed treatment of the vacant site which covers fencing, maintenance, rubbish collection, weed control, and the like. The vacant lot shall be maintained in accordance with the Management Plan, until redevelopment works are carried out on site; and

5. Prior to the issue of a Demolition Permit, a bond of \$2,000 shall be paid by the owners to ensure the Vacant Lot Management Plan is implemented to the satisfaction of the Chief Executive Officer. In the event that the bond is drawn upon, such bond shall be maintained at a level of \$2,000 dollars until the redevelopment works are commenced.

Advice Notes:

1. Support of the demolition application is not to be construed as support of any future Planning Approval/Building Permit application for the redevelopment proposal for the subject property;
2. It is the preference of the Council that buildings such as that on the subject property that can potentially contribute to the streetscape are put into a good state of repair and condition, and retained and/or subject to adaptive reuse in new developments. Council may consider development bonuses in such cases;
3. Demolition of the existing dwelling will make the property ineligible for any development bonuses under the provisions of the City of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing buildings valued by the community; and
4. Any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the City of Vincent Town Planning Scheme No. 1 and associated Policies.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

RECOMMENDATION PUT AND LOST (0-7)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

REASON FOR REFUSAL:

There is currently no development application lodged with the City.

Debate ensued.

SUBSEQUENT MOTION

Moved Cr Harley, Seconded Cr Pintabona

“That an Advice Note be added to the Council decision of Item 9.1.1:

The Council would strongly support adaptive re-use of the existing building in any future development application and has provisions in the Town Planning Scheme providing discretion for variations.”

SUBSEQUENT MOTION PUT AND CARRIED (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.1

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 D M Beausang for proposed Demolition of Existing Single House, at No. 90 (Lot 399; D/P: 2334) Hobart Street, Mount Hawthorn, and as shown on plans stamp-dated 30 May 2012.

ADVICE NOTE:

The Council would strongly support adaptive re-use of the existing building in any future development application and has provisions in the Town Planning Scheme providing discretion for variations.

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval to demolish the subject single house, without the standard condition for the submission of redevelopment plans prior to the issue of a Demolition Permit. The proposal requires referral to the Council for determination.

BACKGROUND:

- | | |
|-------------|--|
| 5 Dec 2007 | Planning Approval granted under Delegated Authority for Partial Demolition of and Alterations and Two-Storey Addition and Carport Addition to Existing Single House. |
| 5 Dec 2009 | Planning Approval granted on 5 December 2007 expired. To date, it is noted that the approved works have not been undertaken. |
| 14 Apr 2010 | The City's Health Services conducted an inspection of the property at No. 90 Hobart Street, Mount Hawthorn and revealed that the subject property was in an untidy and unsecured condition. The property was used by squatters. The owner was requested to secure all openings to the building, remove all disused items and provide a secure fence around the boundary of the property. |
| 18 May 2011 | The City's Development Compliance Officer undertook an inspection of the property at No. 90 Hobart Street, Mount Hawthorn and revealed that the above measures were undertaken. |
| 31 May 2012 | The City received an Application for Approval to Commence Development for Demolition of Existing Single House at No. 90 Hobart Street, Mount Hawthorn. |

DETAILS:

The proposal involves the demolition of the existing single house at No. 90 (Lot 399; D/P: 2334) Hobart Street, Mount Hawthorn.

The applicant advised that he is unable, at this point in time, to satisfy the standard condition which requires a redevelopment proposal to be submitted prior to the issue of a Demolition Permit. The applicant's intention is to seek planning approval for a two storey dwelling before the end of 2012. The following justifications are provided by the applicant in writing in this respect:

- *The Building has been uninhabitable for over 5 years as the rear roof collapsed at this point;*
- *Extensive horizontal cracking to brickwork on all four elevations of the house have rendered the building unstable;*
- *Termite activity has stripped the floors and roof timbers in most areas of the property which may lead to the roof collapsing;*
- *Squatters have prior to the roof at the rear collapsing been in evidence, although the property had been secured with site fencing; and*
- *The property at No. 92 Hobart Street may be in risk of sustaining damage if the property on No. 90 Hobart Street collapses, as may be the case in its present state.*

As such, the applicant has requested, in the event that the Council approves the proposed demolition of the subject place that it omits the standard condition that requires a redevelopment proposal for the subject property to be submitted to and approved by the City, prior to the issue of a Demolition Permit.

Landowner:	D M Beusang
Applicant:	D M Beusang
Zoning:	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	506 square metres each lot
Access to Right of Way	Not Applicable

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Comments Period:	11 June 2012 to 24 June 2012
Comments Received:	Nil

LEGAL/POLICY:

City of Vincent Town Planning Scheme No. 1 and City's Policy No. 3.4.6 relating to Residential Subdivisions.

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.*

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

SUSTAINABILITY IMPLICATIONS:

The City's *Sustainable Environment Strategy 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 City recognises that the demolition of the built environment can have a significant effect on the environment and the sustainable use of resources; however, the subject property is considered to be dilapidated and is unfit for use or occupation.	

SOCIAL	
Issue	Comment
The subject dwelling is considered to be a neglected and dilapidated building, which would result in detrimental impact to the safety and health of the local vicinity.	

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

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Heritage Services

A detailed Heritage Assessment is contained to this report.

The subject single storey brick and tile dwelling was constructed circa 1917 in the Interwar Bungalow style of architecture.

The subject dwelling at No. 90 Hobart Street was first listed in the WA Post Office Directories in 1918 as No. 92 Hobart Street, with Mrs E Howells as the earliest resident. In 1920, the subject dwelling is renumbered as No. 90 Hobart Street and the occupant was Albert M Howells. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

A full Heritage Assessment was undertaken for No. 90 Hobart Street, Mount Hawthorn, which indicates 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 reasonable that the application for the demolition of the subject dwelling be approved.

Development Approval Condition

The applicant has requested that the condition, relating to the requirement for a redevelopment proposal, be removed by the City prior to the issue of a Demolition Permit. The above condition is standard, as per Clause 41 of the Town Planning Scheme No. 1, which is applied to the approval of all demolition within the City and is intended to minimise parcels of land being left vacant over a lengthy period, and enables opportunity for buildings and dwellings to be retained. Whilst the request to remove the above condition is not generally supported, the City's Health, Planning and Building, and Strategic Planning, Sustainability and Heritage Services have some concerns regarding the current condition of the subject dwelling, which is so dilapidated that it is unfit for use or occupation.

In light of the above, it is considered that the subject building be approved for demolition, without the standard redevelopment requirement, rather, with a condition requiring a Vacant Lot Management Plan, as per the Officer Recommendation.

9.1.8 Amendment No. 87 to Planning and Building Policies – Policy 3.5.21 relating to Sound Attenuation

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	PLA0171
Attachments:	001 – Final Amended Policy No. 3.5.21 relating to Sound Attenuation 002 – Schedule of Submissions		
Tabled Items:	Nil		
Reporting Officer:	A Fox, Planning Officer (Strategic)		
Responsible Officer:	C Eldridge, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.5.21 relating to Sound Attenuation, as shown in Appendix 9.1.8A (Attachment 001), in accordance with Clause 47(5)(b) of the City’s Town Planning Scheme No. 1, with regard to the seven (7) submissions received, as shown in Appendix 9.1.8B (Attachment 002); and
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.5.21 relating to Sound Attenuation, as shown in Appendix 9.1.8A (Attachment 001), in accordance with Clause 47 (6) of the City’s Town Planning Scheme No. 1.

Moved Cr Maier, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Topelberg

“That clause 1 be amended to read as follows:

1. **ADOPTS** the final amended version of Policy No. 3.5.21 relating to Sound Attenuation, as shown in Appendix 9.1.8A (Attachment 001), in accordance with Clause 47(5)(b) of the City’s Town Planning Scheme No. 1, with regard to the seven (7) submissions received, as shown in Appendix 9.1.8B (Attachment 002); subject to the final amended version of the policy being further amended to read:
 - (a) **Overriding Principle**
 - (i) **A Class 1, 2, 3 or Class 4 building or portion of a building must be constructed so that sound attenuation of 25 dB in the 63 Hertz octave band between the exterior of the building and any *habitable room* via all sound pathways. Consideration of windows, ventilation ducts and ceilings shall be undertaken to achieve the required decibel rating, including windows, ventilation ducts and ceilings is achieved; and”**

Debate ensued.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

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

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.8

That the Council;

1. **ADOPTS** the final amended version of Policy No. 3.5.21 relating to Sound Attenuation, as shown in Appendix 9.1.8A (Attachment 001), in accordance with Clause 47(5)(b) of the City's Town Planning Scheme No. 1, with regard to the seven (7) submissions received, as shown in Appendix 9.1.8B (Attachment 002); subject to the final amended version of the policy being further amended to read as follows;
 - (a) **Overriding Principle**
 - (i) **A Class 1, 2, 3 or Class 4 building or portion of a building must be constructed so that sound attenuation of 25 dB in the 63 Hertz octave band between the exterior of the building and any *habitable room* via all sound pathways. Consideration of windows, ventilation ducts and ceilings shall be undertaken to achieve the required decibel rating; and**
2. **AUTHORISES** the Chief Executive Officer to advertise the final amended version of Policy No. 3.5.21 relating to Sound Attenuation, as shown in Appendix 9.1.8A (Attachment 001), in accordance with Clause 47 (6) of the City's Town Planning Scheme No. 1.

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period for Amended Policy No. 3.5.21 relating to Sound Attenuation and to present to the Council the final amended version of the policy for final adoption.

BACKGROUND:

The original Policy No. 3.5.21 relating to Sound Attenuation was adopted by the Council at its Ordinary Meeting held on 23 May 2006. The policy addressed a need to minimising noise intrusion into and from proposed development sites through design and construction measures.

The Council at its Ordinary Meeting held on 27 April 2010 adopted the *Noise Management Strategy 2010 – 2013*. As a result of the Strategy the City's Officers have reviewed and amended Policy No. 3.5.21 to ensure that it is consistent with the intent of the *Noise Management Strategy 2010 - 2013* and that it remains a valuable tool in addressing potential noise impacts within the City.

History:

Date	Comment
23 May 2006	The City adopted Policy No. 3.5.21 relating to Sound Attenuation to the City's Planning and Building Policy Manual.
25 October 2011	The Council at its Ordinary Meeting authorised the Amended Policy No. 3.5.21 relating to Sound Attenuation be advertised for public comment.
22 November 2011	The public consultation period commenced for Amended Policy No. 3.5.21.
19 December 2011	The public consultation period closed for Amended Policy No. 3.5.21.
9 January 2012	Further consultation with the Australian Acoustical Society and the Association of Australian Acoustical Consultants until 30 January 2012.

Previous Reports to Council:

25 October 2011 The Council considered a report relating to Amended Policy No. 3.5.21, and resolved to authorise the amended policy be advertised for public comment, in accordance with Clause 47 of the City of Vincent's Town Planning Scheme No. 1.

The Minutes of Item 9.1.7 from the Ordinary Meeting of Council held on 25 October 2011 relating to this report is available on the City's website at the following link:

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

DETAILS:

In accordance with the Council resolution of 25 October 2011, as part of the formal advertising, the City draft Amended Policy No. 3.5.21 was advertised for a period of 28 days. The City received six (6) submissions during this time. One of the submissions received during the consultation period suggested that the City consult with the Australian Acoustical Society and the Association of Australian Acoustical Consultants. Following this advice, the City consulted with these organisations for a further 3 week period, in which time a further submission was received, totalling seven (7) submissions in all. A copy of the summary of submissions is shown in Appendix 9.1.8B (Attachment 002).

The submissions received during the formal consultation period and the further consultation with the Australian Acoustical Society and the Association of Australian Acoustical Consultants resulted in a number of proposals for minor amendments to the subject Policy No. 3.5.21. The proposals relate predominately to some minor technical matters that required further clarification or correction. The policy has been further reviewed in light of these proposals and appropriate amendments have been included as follows:

- Clause 3.3.2 (a) ii) - reference to Australian Standards has been removed as it was superfluous given that there is already relevant reference to the *National Construction Code Series 2012 Building Code of Australia* in relation to minimum standards for the separation of sole occupancy units;
- Clause 4.4 – a clause has been added that exempts smoke exhaust fans from meeting certain regulation in emergency situations only;
- Clause 4.4 – this clause has been amended to include noise sources from delivery and waste collection vehicles and on-site power generators;
- Clause 5.2.1 a) iii) – this clause has been amended to include reference to the World Health Organisation (WHO) night Noise Guidelines for Europe which shows the Leq night outside below 40 dB(A);
- The Policy has been amended to reflect the current version of the Building Codes as the *National Construction Code Series 2012 Building Code of Australia*;
- Clause 3.1 - this clause has been amended to reflect the requirement that the acoustic report be prepared by an acoustical consultant with relevant qualifications and experience and be a member of a professional engineering body (or other appropriate qualifications), prior to the issue of a building permit; and
- Clause 5.2.1 – the clause has been amended to give clarification as to the meaning of a sound pathway as it relates to noise insulation.

These amendments are detailed in the summary of submissions shown in Appendix 9.1.8B (Attachment 002) and shown in the draft final amended version of the policy by strikethrough and underline as seen in Appendix 9.1.8A (Attachment 001).

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
Consultation Type:	<ul style="list-style-type: none"> • Advertisement in local newspaper; • Notice on the City’s website; • Copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre; and • Written notification to Western Australian Planning Commission and other appropriate government agencies as determined by the City of Vincent. • Further consultation with the Australian Acoustical Society and the Association of Australian Acoustical Consultants for a further 3 week period following the formal consultation period. 		
Comment period:	28 days for formal advertising period Further 3 week advertising to Australian Acoustical Society and the Association of Australian Acoustical Consultants.		

In total, seven (7) submissions were received as follows:

- two (2) – stated no objection;
- two (2) – stated no comment;
- three (3) – provided comment.

A detail of the submissions received and shown in Appendix 9.1.8B (Attachment 002).

LEGAL/POLICY:

Environmental Protection (Noise) Regulations 1997
Town Planning Scheme No. 1 and associated Policies.

RISK MANAGEMENT IMPLICATIONS:

This policy reduces the potential for noise related development issues.

STRATEGIC IMPLICATIONS:

The City’s Strategic Plan 2011-2016 states:

“Natural and Built Environment

1.1.1 *Improve and maintain the natural and built environment and infrastructure:*

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

The City’s Noise Management Strategy 2010 – 2013 states:

“Noise Management Action

10. *Conduct an audit of the application and effectiveness of the City of Vincent’s Sound Attenuation Policy.”*

SUSTAINABILITY IMPLICATIONS:

One of the key aims of Policy No. 3.5.21 relating to Sound Attenuation, is to provide a clear framework to minimise the adverse impact of noise to facilitate the sustainable co-existence of a mix of land uses within the City. The final amended draft Policy No. 3.5.21 addresses appropriate criteria for identifying potential noise impacts and clarifies the processes and extent of reporting required in certifying noise attenuation measures.

FINANCIAL/BUDGET IMPLICATIONS:

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

'Town Planning Scheme Amendment and Policies'

Budget Amount:	\$80,000
Spent to Date:	\$ <u>0</u>
Balance:	\$80,000

COMMENTS & CONCLUSION:

In consideration of the submissions received, the City's Officers have further amended the draft amended Policy No. 3.5.21 relating to Sound Attenuation to address some minor technical matters that needed further clarification or correction. It is recommended that the Council receives and adopts the final version of the Amended Policy No. 3.5.21 relating to Sound Attenuation in accordance with the Officer Recommendation.

9.1.9 Amendment No. 94 to Planning and Building Policies – Rescission of Policy Nos. 3.4.5 relating to Short Term Accommodation and Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments; Consideration of Draft Policy No. 3.4.5 relating to Special Residential Accommodation; and Administrative Changes to Existing Policies

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	PLA0238
Attachments:	001 – Policy No. 3.4.5 relating to Short Term Accommodation 002 – Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments 003 – Draft Policy No. 3.4.5 relating to Special Residential Accommodation		
Tabled Items:	Nil		
Reporting Officer:	A Fox, Planning Officer (Strategic)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

1. **AUTHORISES** the Chief Executive Officer to advertise the proposed rescission of Policy No. 3.4.5 relating to Short Term Accommodation and Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments, for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 relating to Community Consultation;
2. **AUTHORISES** the Chief Executive Officer to advertise Draft Policy No. 3.4.5 relating to Special Residential Accommodation, as shown in Appendix 9.1.9C (Attachment 003), in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1; and
3. **After the expiry period for submissions:**
 - 3.1 **REVIEWS** the Draft Policy No. 3.4.5 relating to Special Residential Accommodation having regard to any submissions received;
 - 3.2 **DETERMINES** the Draft Policy No. 3.4.5 relating to Special Residential Accommodation having regard to any submissions with or without amendments, to or not to proceed with the draft Policy; and
 - 3.3 **DETERMINES** the rescission of Policy No. 3.4.5 relating to Short Term Accommodation and Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded

That the item be DEFERRED for further consideration.

PROPOSED AMENDMENT NO 1 LAPSED FOR WANT OF A SECONDER

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr Topelberg

“That the Clause 3.2.2 be deleted from Policy No: 3.4.5

3.2.2 Occupancy

~~A maximum of two bedrooms shall be provided for bed and breakfast guests”~~

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

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

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.1.9

That the Council;

1. **AUTHORISES** the Chief Executive Officer to advertise the proposed rescission of Policy No. 3.4.5 relating to Short Term Accommodation and Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments, for public comment, in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City’s Policy No. 4.1.5 relating to Community Consultation;
2. **AUTHORISES** the Chief Executive Officer to advertise Draft Policy No. 3.4.5 relating to Special Residential Accommodation, as shown in Appendix 9.1.9C (Attachment 003), in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1; subject to Policy Clause 3.2.2 – Occupancy being amended to delete the following words; “A maximum of two bedrooms shall be provided for bed and breakfast guests” and
3. **After the expiry period for submissions:**
 - 3.1 **REVIEWS** the Draft Policy No. 3.4.5 relating to Special Residential Accommodation having regard to any submissions received;
 - 3.2 **DETERMINES** the Draft Policy No. 3.4.5 relating to Special Residential Accommodation having regard to any submissions with or without amendments, to or not to proceed with the draft Policy; and
 - 3.3 **DETERMINES** the rescission of Policy No. 3.4.5 relating to Short Term Accommodation and Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments.

NOTE: The Council requested that the amended draft Policy be re-worded to remove any ambiguity, prior to it being advertised for public comment.

PURPOSE OF REPORT:

The purpose of this report is to enable the Council to consider:

1. Advertising the rescission of Polices No. 3.4.5 relating to Short Term Accommodation and No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments; and
2. Advertising the draft Policy No. 3.4.5, relating to Special Residential Accommodation for public comment.

BACKGROUND:

The Council at its Ordinary Meeting held on 10 April 2007 adopted Policy No. 3.4.5 relating to Short Term Accommodation. To date, the Short Term Accommodation policy has been used largely as a tool for ensuring that premises operating short term accommodation without approval comply with the required provisions.

The existing policy addresses issues relating to compliance of short term accommodation; however it does not differentiate between accommodation types and offers little guidance in relation to location, design and operation requirements of short term accommodation or other forms of special residential accommodation.

The City's draft *Local Planning Strategy* identifies a need for diversity in housing stock to cater for an increased population, particularly those single or smaller households on moderate to low incomes. The City's *Affordable Housing Strategy* acknowledges the challenge of addressing this need, through identifying the existing and growing trend of housing stress placed on many Vincent residents through a significant loss of housing diversity particularly in affordable group housing forms such as lodging houses, backpackers and shared accommodation.

As a result of these growing trends, one of the key recommendations of the draft *Local Planning Strategy* is to develop policy and/or scheme provisions and incentives that enables accommodation in an appropriate form and tender for Vincent's changing demographics, including the single person, small household, students, special needs groups and essential workers.

Additionally, the draft *Local Planning Strategy* has identified a growing concern resulting from a lack of tourist accommodation in Perth's CBD and surrounds and the potential adverse economic and employment impacts. As a result of this, the *Local Planning Strategy* recommends:

- Encouraging the introduction of tourism uses, such as short stay serviced apartments, boutique hotels and 4 and 5 star hotels of a medium scale into Commercial, Regional and City Centre and Mixed Residential/Commercial areas to contribute to the diversity and long term sustainability of employment in the City; and
- Using planning controls to encourage and enable the development of a variety of accommodation services (including hotels and serviced apartments) in areas such as Leederville, which have established entertaining facilities and direct transport links to the City.

A review of the existing Short Term Accommodation Policy, has resulted in a draft new Policy No. 3.4.5 relating to Special Residential Accommodation which aims to facilitate the development of appropriately located accommodation in a variety of forms. The draft policy clearly sets out the provisions for a variety of special residential accommodation types that are complimentary in scale, location, design and operated to a high standard in order to minimise any undue impact on the residential amenity of the area. Encouraging the appropriate provision of special forms of accommodation will also assist in addressing the current shortage of tourist and short term accommodation within Vincent.

History:

Policy No. 3.4.5 - Short Term Accommodation

Date	Comment
10 April 2007	The Council at its Ordinary Meeting adopted Policy No. 3.4.5 relating to Short Term Accommodation.

Policy No. 3.5.17 - Communal Open Space for Lodging Houses, Hostels and Serviced Apartments

Date	Comment
10 May 2005	The Council at its Ordinary Meeting adopted Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments.

Previous Reports to Council:

There have been no previous reports to the Council in relation to the subject Amendment No. 94 relating to the rescission of Policy Nos. 3.4.5 relating to Short Term Accommodation and No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments and the new draft policy 3.4.5 relating to Special Residential Accommodation.

DETAILS:

Proposed draft new Policy No. 3.4.5 relating to Special Residential Accommodation

In reviewing the City's existing Policy No. 3.4.5 relating to Short Term Accommodation, the City's Officers are proposing to rescind the existing Policy No. 3.4.5 relating to Short Term Accommodation and Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments and have drafted a new Policy No. 3.4.5 relating to Special Residential Accommodation for consideration by the Council, in order to address proposed changes and to incorporate additional provisions.

Many of the provisions contained in the existing Policy No. 3.4.5 relating to Short Term Accommodation have been included in the draft new Policy No. 3.4.5 relating to Special Residential Accommodation Policy. The format of the draft policy has been amended to be consistent with the City's Policies and is intended that the draft policy will provide better clarity to owners, applicants and the City's Officers.

The main key changes/additions to the draft new Policy No. 3.4.5 relating to the Special Residential Accommodation are outlined below:

1. Change of Policy Name

It is the intent of the proposed new policy to differentiate between accommodation types (i.e. bed and breakfast, short term residential accommodation, lodging houses and serviced apartments) which may or may not be 'short term' in nature (i.e. lodging houses can be permanent accommodation). It is considered that renaming the policy to 'Special Residential Accommodation' rather than 'Short Term Accommodation' will more appropriately reflect the content of the policy.

2. Types of Accommodation

The policy sets out to differentiate between a 'Dwelling' and a 'Residential Building' as defined by the Residential Design Codes (R Codes). The R Codes define a dwelling as:

'a building or portion of a building that is used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.'

This includes a Single House, Grouped Dwelling, Multiple Dwelling and Ancillary Accommodation as defined by the Town Planning Scheme No. 1 (TPS 1) and the Residential Design Codes of Western Australia (R Codes).

Where a building is proposed to be used or occupied contrary to the above, it is classified as a Residential Building. The R Codes define a residential building as:

'a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:

- *Temporarily by two or more persons; or*
- *Permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.*

Given that a Residential Building can take a variety of forms, the new draft policy relating to Special Residential Accommodation defines and differentiates different types of Residential Buildings used for residential accommodation that are commonly submitted for planning approval in the City of Vincent. The types of accommodation that are the subject of the draft policy are as follows:

- Bed and Breakfast;
- Short Term Residential;
- Lodging House;
- Serviced Apartment.

Clause 2 of the draft policy defines each of the above accommodation types in order to provide distinction and clarity.

3. Specific Requirements

Clause 3 of the draft policy sets out specific requirements for each type of accommodation particularly in relation to location, occupancy and management. It is intended that this will clarify to applicants, residents and planning officers the difference in accommodation types and the specific provisions that apply to each.

As the different types of accommodation will differ in terms of their impacts on the community, it was considered appropriate to provide guidance as to the desired location of each type of facility. Special Residential Accommodation premises such as Bed and Breakfast and Short Term Residential Accommodation are considered appropriate in all zones of the City's Town Planning Scheme No. 1, in contrast to a Lodging House or Serviced Apartment which are considered most appropriate only in Residential/Commercial, Commercial, Local and District Centre zones.

There are a number of requirements that are generic in nature and apply to each type of accommodation type. These general provisions have been set out in Clause 3 of the draft policy.

4. Management

Clause 4 of the draft policy sets out aspects that need to be considered by applicants when proposing a Special Residential Accommodation premises including Building and Health requirements, documents of relevance and compliance with the Residential Tenancy Act 1987. The requirements are not specific, however they provide an indication to applicants on matters they need to take into consideration when proposing Special Residential Accommodation.

Clause 4 of the existing Policy No. 3.4.5 relating to Short Term Accommodation Policy contains provisions relating to breaches in compliance. These provisions have been included in Clause 4.6 of draft Policy 3.4.5 relating to Special Residential Accommodation, which will primarily apply when there is a dispute over the classification of a premise as 'short term residential accommodation'. If a short term residential accommodation premises is unable to provide evidence of long term occupancy agreements, the provisions within Clause 4.6 require that a planning application is made for the operation of the premises for short term residential accommodation purposes.

5. Application Requirements

Clause 5 of the draft policy sets out information that is required to be submitted with a planning application for Special Residential Accommodation. In addition to the normal planning application form and plans, applications for special residential accommodation are required to include a comprehensive Management Plan, Car Parking Management Plan and Servicing Strategy (in the case of Services Apartments).

Most of the impact associated with special residential accommodation results from noise disturbance, anti social behaviour and car parking. The Management Plan and Carparking Management Plan requires applicants to consider these aspects and provide sound justification to the City as to how these matters will be addressed.

It is intended that a thorough Management Plan and Car Parking Strategy will place the onus on the applicant to consider potential impacts to the surrounding neighbourhood prior to the operation of the premises in order to minimise disturbances; and ensure that mechanisms are in place to deal with incidences should they occur.

Inclusion of Communal Open Space Requirements for Lodging Houses

The City's existing Policy No. 3.5.17 relating to Communal Open Space for Lodging Houses, Hostels and Serviced Apartments sets out the acceptable development standards for the provision of internal and external open space.

In the preparation of the draft Policy for Special Residential Accommodation, the City's Officers have incorporated the relevant requirements for communal open space into the draft new Policy No. 3.4.5 and propose to rescind Policy No. 3.5.17 relating to Communal Open Space for Lodging houses, Hostels and Serviced Apartments as it is considered superfluous as a standalone policy. Clause 3.4.5 of the draft policy addresses the requirements for communal open space requirements for Lodging Houses as contained in Policy 3.5.17 relating to Communal Open Space for Lodging houses, Hostels and Serviced Apartments.

The draft policy proposes that Serviced Apartments are subject to the siting and design requirements applicable to the site for multiple dwellings under the Residential Design Codes (R Codes). Clause 7.3.1 of the R Codes relating to outdoor living areas provides for the acceptable performance criteria for outdoor living space (or balcony) for multiple dwellings, or serviced apartments for the purposes of new Policy No. 3.4.5. There are no mandatory provisions for communal open space for multiple dwellings in the R Codes.

Administrative Amendments to existing Planning and Building Policies

Over twelve (12) months have passed since the 'Town of Vincent' became the 'City of Vincent' on 1 July 2011. Many of the existing planning policies still reflect the name 'Town of Vincent'. As part of this amendment, it is proposed to undertake a comprehensive review of all of the policies contained in the Planning and Building Policy Manual to ensure that they reflect the City's correct name.

In addition, it is proposed that further minor administrative amendments will be made to the policies to ensure that they are consistent with the City's Policy Manual in terms of numbering and formatting.

It is intended that the amended policies reflecting these minor administrative changes will be updated on the City's website, however hard copies will not be provided for replacement in the Policy Manual until such time as further amendments are required to a particular policy.

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 adjacent 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:

Town Planning Scheme No. 1 and associated Policies.

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:

ENVIRONMENTAL	
Issue	Comment
The amendments to the City's Policy No. 3.4.5 relating to Special Residential Accommodation serves to provide appropriate located housing options within close proximity to public transport opportunities.	

SOCIAL	
Issue	Comment
The amendments to the City's Policy No. 3.4.5 relating to Special Residential Accommodation serve to provide a wide range of affordable housing opportunities for the City's residents also responding to steady increased pressure for housing options in Vincent and Perth more generally.	

ECONOMIC	
Issue	Comment
The amendments to the City's Policy No. 3.4.5 relating to Special Residential Accommodation assist in facilitating appropriately located accommodation conveniently located within close proximity to the City's commercial and tourist hubs ensuring that the City is an attractive destination for local and international tourists.	

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>0</u>
Balance:	\$ 80,000

COMMENTS:

It is considered that the proposed draft new Policy No. 3.4.5 relating to Special Residential Accommodation will achieve the following key outcomes:

1. Facilitate the development of appropriately located high quality accommodation other than permanent residential dwellings within the City of Vincent.
2. Provide clear policy direction on the requirements for Special Residential accommodation within the City of Vincent.
3. Ensure a high standard of amenity for long-term residents and the occupants of Special Residential Accommodation through management controls.
4. State the rights and obligations of the manager/owner offering Special Residential Accommodation.
5. Ensure properties used for Special Residential Accommodation purposes do not have an undue impact on the residential amenity of the area.

In light of the above, it is recommended that the Council progress the draft new Policy No. 3.4.5 relating to Special Residential Accommodation in accordance with the Officer Recommendation and advertise the draft policy in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City's Policy No. 4.1.5 relating to Community Consultation.

9.4.2 North Perth Bowling and Recreation Club – Replacement of Flood Lighting

Ward:	North	Date:	13 July 2012
Precinct:	North Perth	File Ref:	PRO3409
Attachments:	001 – Letter from Department of Sport and Recreation, 13 June 2012		
Tabled Items:	Nil		
Reporting Officers:	A Campbell, Senior Community Development Officer; and B Grandoni, Acting Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council **APPROVES BY AN ABSOLUTE MAJORITY** an additional amount of \$13,872 (incl: GST) in the 2012/2013 Budget, from a source to be identified, for completion of works associated with replacing floodlighting to two (2) bowling greens at the North Perth Bowling and Recreation Club.

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

RECOMMENDATION PUT AND LOST (0-7)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

REASON FOR REFUSAL:

1. That there are no funds in the 2012/2013 budget for the project.
2. There is an indication from the Department of Sport and Recreation that there are opportunities for further funding in future years.
3. The Council would like to support alternative ways to fund the project.

ALTERNATIVE RECOMMENDATION

Moved Cr Maier, Seconded Cr Topelberg

That the Council;

1. **APPROVES:**
 - 1.1 The installation of lights to one (1) green during the 2012/2013 year;
 - 1.2 The City's in kind support in the form of promotion and logistics to North Perth Bowling and Recreation Club to fundraise the remaining \$13,872; and
2. **REQUESTS** the North Perth Bowling and Recreation Club apply for further funding during the 2013/14 CSRFF Winter Small Grants round as suggested by the Department of Sport and Recreation."

Debate ensued.

**ALTERNATIVE RECOMMENDATION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (7-0)**

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.4.2

That the Council;

1. **APPROVES:**

1.1 The installation of lights to one (1) green during the 2012/2013 year;

1.2 The City's in kind support in the form of promotion and logistics to North Perth Bowling and Recreation Club to fundraise the remaining \$13,872; and

2. **REQUESTS** the North Perth Bowling and Recreation Club apply for further funding during the 2013/14 CSRFF Winter Small Grants round as suggested by the Department of Sport and Recreation.

PURPOSE OF REPORT:

The purpose of this report is to recommend additional funding required for completion of works associated with installing floodlighting for two (2) bowling greens at North Perth Bowling and Recreation Club (NPBRC). The extra funding is to compensate for the shortfall in funds allocated by the Department of Sport and Recreation (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) funding grant.

BACKGROUND:

- | | |
|-------------------|---|
| 1 to 31 July 2011 | The CSRFF Small Grant applications were advertised and application forms were available from local authorities and the DSR website. |
| 29 February 2012 | Two (2) CSRFF funding applications were received by the City from: <ul style="list-style-type: none">• NPBRC to replace greens lighting; and;• Mount Hawthorn Cardinals Junior Football Club (MHCJFC) to construct a storage facility. |
| 6 April 2012 | The two (2) CSRFF applications (from NPBRC and MHCJFC) were lodged with DSR. |
| 27 March 2012 | At the Ordinary Meeting of Council, an amount of \$27,760 (incl GST) was approved to be listed on the Draft Budget 2012/2013 to assist with costs associated with the replacement of on-site lighting at NPBRC, complying with relevant Australian Standards for Lawn Bowling Greens and to allow for the hosting of evening and night time bowls. The Council approved the lodgement of two (2) applications and noted an amount of \$41,760 for consideration subject to approval by DSR. |
| 13 June 2012 | The City received a letter from the Minister of Sport and Recreation, as shown in Appendix 9.4.2, informing outcomes of CSRFF funding applications for NPBRC and the MHCJFC. While the MHCJFC was approved for the full amount requested, the NPBRC were only approved the amount of \$13,890 (incl GST), a shortfall of \$13,872 (incl GST). |

- 27 June 2012 NPBRC contacted the City to raise issues regarding the shortfall in CSRFF funding received by DSR. The funding approved was the cost of lighting one (1) green, rather than completing the full works required to install lighting to two (2) greens as requested in the NPBRC's CSRFF application.
- 3 July 2012 The 2012/2013 Budget was adopted, with \$27,760 (incl GST) allocated to NPBRC as initially proposed.

DETAILS:

The NPBRC is situated off Fitzgerald Street in North Perth and is one of the few remaining bowling clubs within the area. The expectation of the club is that they will continue to expand in the next five (5) to ten (10) years. The Club are committed to improving their facilities and services as the Club continues to grow in popularity as both a sporting and recreational venue.

Recently the Club has recognised an increased demand amongst younger recreational bowlers and wish to accommodate the growing number of social bowlers into the future. Recognising the increasing demand for social use of the bowling greens in the evenings, NPBRC submitted an application for CSRFF funding for costs associated with the installation floodlighting to two (2) greens.

The purpose of CSRFF Small Grants funding is to assist community groups and Local Government authorities to develop well-planned facilities for sport and recreation for communities. The total project cost for the Small Grants must not exceed \$150,000, with the CSRFF contributing up to one third (1/3) of the total project cost with an equal contribution from both the City and the applicant.

On assessment of the NPBRC's CSRFF application, DSR suggested the Club had insufficient demand for lighting two (2) greens. According to DSR, the decision was based upon Bowling WA's figures stating the NPBRC has less than sixty (60) capitated (paid and registered) members. NPBRC argue that DSR are not taking into consideration NPBRC also have over two hundred and thirty-nine (239) social members. The Club also believe the number of capitated members is likely to increase in the near future as many of their social members upgrade to full membership.

NPBRC suggest, due to the hire of equipment and the cost of labour involved, the works for one (1) green will exceed the amount funded. The Club believe undertaking work to both greens at the same time will reduce costs significantly. Also, it should be noted that if the work is to take place in two (2) stages, the significant income loss from closure and disruption to the Club could be detrimental.

DSR have suggested the Club undertake the works to one (1) green and reapply for further funding in the 2013/2014 round. Another option suggested by DSR is to decline the funding and re-apply with a stronger application for the full works in the 2013/2014 round of funding. To be eligible for the next round of CSRFF funding, applications must be received by the City before 30 July 2012.

Consequently, it is recommended that the Council approve an additional \$13,872 (incl GST) in the 2012/2013 Budget for works involved with the full installation of floodlighting to two (2) bowling greens at North Perth Bowling and Recreation Club (NPBRC).

CONSULTATION/ADVERTISING:

Development at NPBRC will require community consultation prior to final planning approval.

LEGAL/POLICY:

Not applicable.

RISK MANAGEMENT IMPLICATIONS:

Low: The increase in support from Council is associated with low risk implications for the City.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – the following Objectives state:

"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.*

Community Development and Wellbeing

3.1 *Enhance and promote Community Development and Wellbeing:*

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

(a) *Organise and promote community events, programs and initiatives that engage the community and celebrate cultural and social diversity of the City, including the development of a program for the holding of an event in each of the City's main commercial centres and develop an Annual Program of events.*

(b) *Deliver a range of leisure programs to encourage structured and unstructured recreation in the community.*

3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community".*

SUSTAINABILITY IMPLICATIONS:

The NPBRC has demonstrated a long term commitment to upgrade and improve the facility with a number of works planned for the near future. Recently the Club has recognised an increased demand amongst younger recreational bowlers and wish to accommodate for the growing number of players. NPBRC are one of the few remaining clubs in the area and is expected to continue to expand over the next five (5) to ten (10) years.

FINANCIAL/BUDGET IMPLICATIONS:

In the 2012/2013 Budget, an amount of \$27,760 has already been allocated to NPBRC. An additional amount of \$13,872 (incl GST) is recommended for approval in the 2012/2013 Budget.

COMMENTS:

The granting of additional funding to complete the improvements will assist the NPBRC to continue to meet the expectations of their patrons and cater for the diverse needs of the community.

9.4.3 Request for Sponsorship by Football West – Backpackers’ Kickabout

Ward:	South	Date:	13 July 2012
Precinct:	All	File Ref:	CMS0084
Attachments:	001 – Backpackers Kickabout partnership proposal		
Tabled Items:	Nil		
Reporting Officers:	A Cole, Acting Senior Community Development Officer; and B Grandoni, Acting Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the partnership proposal from Football West as shown in Attachment 9.4.3; and
2. **APPROVES** a partnership with Football West as follows:
 - 2.1 A donation of \$3,000 for Football West to run a Backpackers’ Kickabout Programme at Birdwood Square; and
 - 2.2 "In-kind support" by waiving of hire fees for the use of Birdwood Square every Friday, beginning September 2012 for a period of six (6) months, from 3pm to 6pm, to the value of \$3,380.

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Topelberg, Seconded Cr Pintabona

“That Clause 2 be amended and a new Clause 3 be inserted as follows:

2. **APPROVES in principle** a partnership with Football West as follows:
 - 2.1 A donation of \$3,000 for Football West to run a Backpackers’ Kickabout Programme at Birdwood Square; and
 - 2.2 "In-kind support" by waiving of hire fees for the use of Birdwood Square every Friday, beginning September 2012 for a period of six (6) months, from 3pm to 6pm, to the value of \$3,380; and
3. **REQUESTS a further report detailing possible sponsorship opportunities.**

Debate ensued.

AMENDMENT NO 1 PUT AND CARRIED (4-3)

For: Presiding Member A/Mayor Cr McGrath, Cr Maier, Cr Pintabona, Cr Topelberg
Against: Cr Buckels, Cr Harley, Cr Wilcox

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

Debate ensued.

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr Topelberg

“That Clause 2.1 be deleted as follows:

~~2.1 A donation of \$3,000 for Football West to run a Backpackers' Kickabout Programme at Birdwood Square; and~~

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED (5-2)

For: Cr Buckels, Cr Harley, Cr Maier, Cr Pintabona, Cr Wilcox

Against: Presiding Member A/Mayor Cr McGrath, Cr Topelberg

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

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

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.4.3

That the Council;

1. **RECEIVES** the partnership proposal from Football West, as shown in Attachment 9.4.3;
2. **APPROVES IN PRINCIPLE** a partnership with Football West to provide "In-kind support" by waiving of hire fees for the use of Birdwood Square every Friday, beginning September 2012 for a period of six (6) months, from 3pm to 6pm, to the value of \$3,380 to run a Backpackers Kickabout Programme; and
3. **REQUESTS** a further report detailing possible sponsorship opportunities.

PURPOSE OF REPORT:

To seek approval for a donation to Football West to run a local Backpackers' Kickabout Programme at Birdwood Square for a period of six (6) months, beginning September 2012.

BACKGROUND:

Football West is the governing body for football (soccer) in Western Australia. It is recognised by both the State and Federal Governments, and Football Federation Australia (FFA) as the organisation responsible for the administration, promotion and delivery of football in the State. A not for profit company, Football West is funded through membership and club affiliation fees, government grants and corporate sponsorship.

The concept of a Backpackers' Kickabout grew out of Football West's desire to meet its corporate vision of 'making the world game, the local game' and inherent in this philosophy, football's place as being the ideal sport for all. Whilst football and 'having a kick' is at the centre of the activity, it has also been suggested that encouraging backpackers staying in the City is equally important; encouraging them to enjoy their stay at the same time as meeting and mixing with fellow travellers.

- 18 April 2012 The City received a letter from the Chief Executive Officer of Football West opening discussions regarding a partnership for Backpackers' Kickabout.
- 2 May 2012 Manager Community Development and Senior Community Development Officer met with the Chief Executive Officer and General Manager of Football West to discuss partnership opportunities to further develop the Backpackers' Kickabout.
- 17 May 2012 Chief Executive Officer of Football West submitted a written proposal to the City of Vincent for Backpackers' Kickabout.

DETAILS:

Football West has proposed to coordinate and conduct a simple football based activity, aimed towards backpackers in and around the Northbridge/Mount Lawley area. As it is an international sport, these backpackers have a great interest in and affinity with this form of football and it is not uncommon to see many football strips from all around the world being worn. As backpackers are fairly transient and generally only stay in one location for a short period of time, it is not feasible for them to register to a club. As such, there is currently a gap for a fairly informal but structured sporting activity for them to participate in.

Ideally, given the proximity to many backpacking hostels and accommodation, this activity will be based at Birdwood Square and in conjunction with the Brisbane Hotel and the City of Vincent. The Backpackers' Kickabout is planned to run over a six (6) month period, commencing in September 2012 on Friday afternoons from 3pm to 6pm. The particular days and times are flexible and subject to suitability to both the City and the Brisbane Hotel. These details will also be adjusted based on the number of participants that show interest.

Format

The proposed programme aims to be carried out in a casual manner, in the form of scratch matches. The overall aim is for the matches to be flexible and inclusive so as to react to the number of participants. For example, if ten (10) participants attend there is one game of five (5) versus five (5) and if thirty-five (35) participants attend there can then be four (4) teams of seven (7) on two (2) pitches with substitutes.

Equipment

Football West will provide the necessary equipment including match balls, coloured bibs for up to eight (8) teams to play at once, four (4) sets of simple transportable small goals and other miscellaneous equipment as required.

Marketing and Promotion

Promotion will be coordinated by Football West with the majority of promotion being via the numerous backpacker hostels and accommodation providers in the area, as well as through proposed key stakeholders, the City of Vincent and the Brisbane Hotel. Social networking sites of Facebook and Twitter, local websites such as Gumtree and other relevant sites such as Perthnow will also be utilised.

Financial

The key cost for the project will be funding a Project Coordinator, responsible for managing and transporting equipment, collecting money, resolving any issues that may arise and generally leading the activity each Friday. Financial support from the City will be utilised to fund this Project Coordinator.

CONSULTATION/ADVERTISING:

Consultation with additional stakeholders and surrounding residents will be coordinated by Football West and supported by the Senior Community Development Officer.

LEGAL/POLICY:

The following City Policy applies to this project:

- Policy No. 3.10.5 – Donations, Sponsorship and Waiving of Fees and Charges.

RISK MANAGEMENT IMPLICATIONS:

Low: With the number of backpackers in close proximity to Birdwood Square, the proposed programme is expected to be both popular and successful. Concerns such as weather may be a contributing factor to attendance levels.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* – Objective 3 states:

“Community Development and Wellbeing

- 3.1 *Enhance and promote Community Development and Wellbeing:*
- 3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity*
 - 3.1.3 *Promote health and wellbeing in the community*
 - (d) *Implement the Physical Activity Plan*
 - 3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life*
 - (b) *Deliver a range of leisure programs to encourage structured and unstructured recreation in the community*
 - 3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community.”*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this matter will be incurred under the Physical Activity Plan budget item as follows:

Budget Amount:	\$17,000
Spent to Date:	\$ <u> 0</u>
Balance:	\$17,000

The in-kind value of the use of Birdwood Square every Friday, for a period of six (6) months is as follows:

26 weeks x \$130 per session = \$3,380.

COMMENTS:

The granting of funds to implement Backpackers' Kickabout will support Football West in achieving their corporate vision of making the world game, the local game and opening the sport for all in the City of Vincent.

9.4.4 Local History Services – Selecting a Title for the Beatty Park History Book

Ward:	All	Date:	13 July 2012
Precinct:	Both	File Ref:	CMS0003
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer:	J Davidson, Senior Librarian Local History		
Responsible Officer:	R Boardman, Director Community Development		

CORRECTED OFFICER RECOMMENDATION:

“That the Council **ACCEPTS** the recommendation of the City’s Local History and Heritage Advisory Group and **APPROVES** the title of the Beatty Park Local History Book as; ~~‘Beatty Park – celebrating the first 50 years’~~ ‘Beatty Park – celebrating the first fifty years: 1962-2012.’”

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

Moved Cr Buckels, Seconded Cr Maier

That the Corrected Officer Recommendation be adopted:

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

COUNCIL DECISION ITEM 9.4.3

That the Council **ACCEPTS** the recommendation of the City’s Local History and Heritage Advisory Group and **APPROVES** the title of the Beatty Park Local History Book; as ~~“Beatty Park – celebrating the first fifty years: 1962-2012.”~~

ADDITIONAL INFORMATION:

The City’s Local History Officers have raised concern that the proposed title of the Book does not flow smoothly or supply all the appropriate information. The proposed corrected book title is slightly different in that “50” looks better written out and alliterates better visually. It also seems important for those who are not aware when Beatty Park was built to have those dates provided as part of the title.

PURPOSE OF REPORT:

The purpose of the report is to present to the Council the five (5) options for the title of the Beatty Park Local History Book, and to recommend that the Council approve the title of the book as “Beatty Park: celebrating the first 50 years”, in line with the recommendation of the City’s Local History and Heritage Advisory Group.

BACKGROUND:

At a meeting of the Local History and Heritage Advisory Group on 12 July 2012, the Group voted on the following five (5) suggestions for a title for the book on Beatty Park to be published in November 2012 to coincide with the Centre’s 50th birthday:

- 1.1 “Celebrating 50 years of Beatty Park: 1962-2012”;
- 1.2 “Beatty Park: celebrating 50 years”;
- 1.3 “50 years of Beatty Park: 1962-2012”;
- 1.4 “Beatty Park: celebrating the first 50 years”; and
- 1.5 “Beatty Park 50 years: 1962-2012”

The Group has recommended that the preferred title be Option 1.4:

“Beatty Park: celebrating the first 50 years”.

DETAILS:

A brief summary on the status of the finalisation of the Local History Book on Beatty Park to coincide with the Centre's 50th birthday is as follows:

- The content and proof reading of the book is scheduled to be completed by the end of July 2012;
- Three (3) quotations have been requested from companies with experience in book printing to provide the artwork and printing;
- Quotations are currently being obtained for Limited Edition copies;
- A title needs to be finalised in order that the City may obtain an ISBN number and CIP (cataloguing-in-print) from the National Library to be included in the printed information at the front of the book. The proposed title is "Beatty Park" with a subtitle of "Celebrating the first 50 years";
- A Foreword from the Governor of Western Australia, Sir Malcolm McCusker will be included and is currently being finalised;
- A Message from the Mayor will also be included in the book; and
- A total of 1,000 copies of the book comprising 800 soft copies and 200 hard copies will be published and printed by November 2012.

CONSULTATION/ADVERTISING:

The publicising of the book will take place to coincide with the 50th anniversary of the Beatty Park Leisure Centre, and the opening of the new outdoor pool and associated new redevelopment works. The book will be publicised through various mediums, including; the City's Newsletter, the City's Website, Local Newspaper and advertisements and books on display at the Beatty Park Beatty Leisure Centre, the Library and Local History Centre and the Administration and Civic Centre.

A dedicated book launch is currently being arranged at the Beatty Park Leisure Centre in November 2012, to coincide with the 50th anniversary of the Beatty Park Leisure Centre and the opening of the new redevelopment. It is anticipated that this launch will be opened by the Governor of Western Australia, Sir Malcolm McCusker.

The books will be made available to purchase at the Beatty Park Leisure Centre, the Library and Local History Centre, the Administration and Civic Centre and at local book stores and an on-line order form will be available on the City's website.

LEGAL/POLICY:

The selection of the title of the book is governed by an ISBN (International Standard Book Number). This is a 13-digit unique commercial book identifier and no other book can have the same one.

No book should be published without an ISBN because it is needed for sales purposes and for libraries for cataloguing. It is assigned by the National Library of Australia.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

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

"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".

The book encourages the community to become aware of their heritage and the value that is placed on it by the community. The images will educate the younger generations of the City of Vincent in the history of the places, buildings and lifestyles of the previous generations. It will also foster a sense of pride and identity for the older generations. As the photographs and interview quotes will have come from the community, there should be a sense of family pride and identity with the book and their place in the City of Vincent.

“3.1: *Enhance and promote community development and wellbeing.*”

3.1.1: *Celebrate, acknowledge and promote the City’s cultural and social diversity”.*

The photographs and oral history excerpts will be from people with a variety of ethnic backgrounds and experiences.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for Beatty Park Local History Book will be incurred under the following budgeted item:

Beatty Park – Displays and Promotions

Budget Amount:	\$ 42,000
Spent to Date:	\$ <u>0</u>
Balance:	\$ 42,000

The book is estimated to cost \$22,000. Proceeds will be made through the sale of the book.

COMMENTS:

It is therefore recommended based on the recommendation of the City’s Local History and Heritage Advisory Group that the Council approve the title of the Beatty Park Local History Book as *“Beatty Park: celebrating the first 50 years”*.

9.5.1 Policy No. 1.2.9 – Sustainable Use of Paper, Printing and Office Products – Consideration of Submission and Adoption of Policy

Ward:	-	Date:	13 July 2012
Precinct:	-	File Ref:	ADM0023
Attachments:	001 Amended Policy No. 1.2.9		
Tabled Items:	Nil		
Reporting Officers:	M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

1. **CONSIDERS** the one (1) submission received; and
2. **APPROVES BY AN ABSOLUTE MAJORITY** to adopt amended Policy No. 1.2.9 – “Sustainable Use of Paper, Printing and Office Products”, as shown in Appendix 9.5.1;

COUNCIL DECISION ITEM 9.5.1

Moved Cr Maier, Seconded Cr Harley

That the recommendation be adopted.

Cr Buckels departed the Chamber at 8.13pm.

**MOTION PUT AND CARRIED BY
AN ABSOLUTE MAJORITY (6-0)**

**(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)
(Cr Buckels was absent from the Chamber and did not vote.)**

PURPOSE OF REPORT:

For the Council to consider the one (1) submission received and to adopt the amended Council Policy No. 1.2.9 – “Sustainable Use of Paper, Printing and Office Products”.

BACKGROUND:

The Council adopted in Principle a draft Policy at the Ordinary Council meeting held on 22 May 2012.

The draft Policy was advertised on 5 June 2012, for twenty one (21) days, and at the close of the consultation period one submission was received by Cr Dudley Maier, as follows;

“I wish to make the following comments about “Policy 1.2.9 – Sustainable Use of Paper, Printing and Office Products”.

This policy replaces the previous policy which was titled “Paper Products – Purchase of”. Given that the City already has a purchasing policy I think that the ‘office products’ component of the proposed policy is better located in the purchasing policy, allowing this policy to focus on paper based products. I’m not sure that adding the word “sustainable” is necessary. I think that this is a given and the policy can simply be called “Use of paper and printing services”.

I think the draft policy is unnecessarily long (e.g. the definition of paper products is not really required) and could be restructured to clearly reflect the objectives. These objectives are: to reduce the volume of paper used; recycle as much as possible; to only use paper from sustainable sources; and to only use sustainable printing practices.

I have taken the essence of the draft policy, restructured it, added bits and dropped bits. While it is important to use products and services that are independently endorsed it is important not to lock ourselves into any single body.

The independence of some bodies is questionable given that they are self-regulated, subscription based bodies. The policy would have greater flexibility if the term "or equivalent" is used where appropriate.

I am not sure of the waste collection mechanisms used in the City's office areas. I know that in some offices individual or shared bins are provided but paper waste is not allowed to be placed in these bins - all paper is placed in conveniently located recycling bins.

I do not know if this is feasible in the City's offices.

I believe that the following encapsulates the intention of the proposed policy while remaining fairly simple.

*Regards
Dudley Maier"*

Cr Dudley Maier's comments have been considered and where appropriate have been included in the Draft Amended Policy (shown by strikethrough and underline).

CONSULTATION/ADVERTISING:

The draft Policy was advertised on 5 June 2012, for twenty one (21) days, and at the close of the consultation period one submission was received by Cr Dudley Maier.

LEGAL/POLICY:

Policies are not legally enforceable; however they provide guidance to the City's Administration and Council Members when considering various matters.

RISK MANAGEMENT IMPLICATIONS:

Low: The failure to review Council Policies will not result in any breach of legislation. However, the adoption of policies will improve information to the Council, City's Administration and the community.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Strategic Plan 2011 – 2016 – Key Result Area "4: Leadership, Governance and Management: 4.1.2 – Manage the Organisation in a responsible, efficient and accountable manner".

SUSTAINABILITY IMPLICATIONS:

In accordance with the Sustainable Environment Strategy 2011-2016 Section 3 – General Actions.

"Objective

Ensure that the City acts in an environmentally sustainable manner in all its operations.

Action D

Consider green alternatives to ensure that the City's Administrations purchases are sustainable, environmentally friendly and energy-efficient, where possible and practicable".

The adoption of this amended policy will ensure that the City's paper and printing products are from sustainable accredited suppliers.

FINANCIAL/BUDGET IMPLICATIONS:

The printing industry is very competitive and it is not anticipated that the City will incur a premium in costs for the use of accredited sustainable printers. However, this will be monitored, once the panel has been approved.

COMMENTS:

The City's Policies are reviewed every five years. The amended and new policies will provide guidance to the Council and the City's Administration in these important matters.

9.5.2 Delegations for the Period 1 April 2012 to 30 June 2012

Ward:	Both	Date:	13 July 2012
Precinct:	All	File Ref:	ADM0018
Attachments:	001– Delegation Reports		
Tabled Items:	Nil		
Reporting Officers:	M Wood, A/Manager Ranger and Community Safety Services; P Morrice, Team Leader Ranger Administration		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **ENDORSES** the delegations for the period 1 April 2012 to 30 June 2012 as shown at Appendix 9.5.2; and
2. **APPROVES BY AN ABSOLUTE MAJORITY** to write-off infringement notices/costs to the value of \$46,470 for the reasons as detailed below:

<u>Description</u>	<u>Amount</u>
Breakdown/Stolen (Proof Produced)	\$480
Details Unknown/Vehicle Mismatched	\$1,760
Equipment Faulty (Confirmed by Technicians)	\$2,475
Failure to Display Resident or Visitor Permit	\$14,745
Interstate or Overseas Driver	\$0
Ranger/Administrative Adjustment	\$12,795
Signage Incorrect or Insufficient	\$2,305
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$3,610
Other (Financial Hardship, Disability, Police On-duty, Etc)	\$7,510
Penalties Modified	\$0
Litter Act	\$400
Dog Act	\$100
Health Act	\$0
Pound Fees Modified	\$290
TOTAL	\$46,470

COUNCIL DECISION ITEM 9.5.2

Moved Cr Maier, **Seconded** Cr Pintabona

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED BY
AN ABSOLUTE MAJORITY (6-0)**

(Mayor Hon. Alannah MacTiernan was an apology for the meeting. Cr Carey on approved leave of absence.)

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

Cr Buckels returned to the Chamber at 8.14pm.

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the City's Administration for the period 1 April 2012 to 30 June 2012 and to obtain the City's approval to write-off infringement notices.

BACKGROUND:

The Local Government Act 1995, at Section 5.42, allows for a Council to delegate to the Chief Executive Officer its powers and functions.

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Local Government. The Chief Executive Officer, Directors and specific Managers exercise the delegated authority in accordance with the Council's policies.

DETAILS:

The area which results in most Infringement Notices being withdrawn for this quarter is that of where a resident or visitor was not displaying the necessary permits. While the offence is "Failure to Display a Valid Permit", it is not considered appropriate to penalise residents and their visitors, since the primary purpose of introducing Residential Parking Zones is to provide respite to them.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the Chief Executive Officer the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a Chief Executive Officer to further delegate to an employee of the City; and states that the Chief Executive Officer is to keep a register of delegations. The delegations are to be reviewed at least once each financial year by the Council and the person exercising a delegated power is to keep appropriate records.

It is considered appropriate to report to the Council on a quarterly basis on the delegations utilised by the City's Administration. A copy of these for the quarter is shown at Appendix 9.5.2.

RISK MANAGEMENT IMPLICATIONS:

Low: It is a statutory requirement to report matters approved under Delegation Authority to the Council.

STRATEGIC IMPLICATIONS:

The above is in accordance with the City's *Strategic Plan 2011-2016* - Objective 4.1.2 (a) states:

"4.1.2(a) Continue to adopt best practise 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:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The Council's Auditors recommend that infringement notices be reported to the Council for a decision to write-off the value of the infringement notice. In these cases, it is the opinion of the Co-ordinator Ranger Services and/or the Parking Appeals Review Panel that infringement notices cannot be legally pursued to recover the money or it is uneconomical to take action as this will exceed the value of the infringement notice.

COMMENTS:

It is recommended that the delegations be endorsed by the Council and the write-off of the Infringement Notices be approved.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

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

Nil.

15. CLOSURE

There being no further business, the Presiding Member, Deputy Mayor Cr Warren McGrath, declared the meeting closed at 8.15pm with the following persons present:

Cr Warren McGrath (<i>Deputy Mayor</i>)	Presiding Member
Cr Matt Buckels	North Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Jerilee Highfield	Executive Assistant (Minutes Secretary)
<u>Media</u>	
David Bell	Journalist – “ <i>The Perth Voice</i> ”

1 member of the Public was present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 24 July 2012.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2012